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HISTORICAL MANUSCRIPTS COMMISSION.

REPORT ON THE MANUSCRIPTS

OF HIS GRACE

THE DUKE OF PORTLAND, K.G.,

PRESERVED AT

WELBECK ABBEY.

VOLUME X.

EDITED BY R. F. ISAACSON.

LONDON:
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
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1931

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14s. 0d. Net in Boards.

DA25 M2I6 v.10

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This volume was edited on behalf of the Historical Manuscripts Commissioners by the late Mr. R. F. Isaacson, who also prepared portion of the index.

Many of the abstracts and transcripts which it contains, were made under the direction of the late Mr. J. J. Cartwright when he was secretary to the Commission. The index was completed by Mr. R. C. Ratcliff.

The reference number suggested for the Report on the Portland MSS. is 29.

INTRODUCTION.

It is a matter of regret that Mr. R. F. Isaacson who edited the preceding volume of this Report, was greatly impeded by illness in the preparation of the present volume and did not live to write the introduction or complete the index. Mr. Isaacson was formerly an Assistant Keeper in the Public Record Office and took a large part in the compilation of the Calendar of the Patent Rolls issued by that department. His long-continued services in that respect were acknowledged in the Deputy Keeper's 74th Report.

This volume contains a further instalment of the Calendar, begun in Vol. VIII of the present Report, of the letters and papers of an official character, addressed to or collected by Robert Harley during his parliamentary and official career.(1) It is arranged in several sections as will be seen from the table of contents.

The first section, headed "The Navy," consists of papers selected and abstracted by the late Sir J. K. Laughton. They illustrate naval affairs from a variety of angles. Some are largely matters of routine, such as instructions to officers, journals, victualling accounts and questions about pay. On the other hand the "New Model at Sea" (p. 20) is a speculative treatise of much interest and the paper (p. 33) mentioning the practical uses to which mathematical knowledge could be put in navigation, shipbuilding and the determination of longitude, is typical of an age of great advance in that science.

The second section, headed "The Army," contains warrants, letters, memorials, petitions, certificates of service and other papers relating to military affairs.

The third, headed "Office of Works," consists largely of estimates and accounts of the cost of the rebuilding of St. Paul's cathedral, inquiries into an alleged embezzlement of materials provided for that purpose and a long-drawn dispute about the statue of Queen Anne and the provision of the iron-railings round the cathedral. Several of the papers are memorials or letters from Sir Christopher Wren.

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(1) *See* Report on Portland MSS. Vol. V, p. xiv.

Another portion of this section relates to the building of Blenheim palace and contains a number of letters from John Vanbrugh. A rather pathetic letter from William Talman, the architect whom Vanbrugh displaced in the office of Controller of the Works, occurs on p. 96.

The fourth and largest section of the calendar (pp. 153–448) consists of papers relating to Scotland, papers of such variety that it is impossible to do more than call attention to one or two points of interest.

The union of England and Scotland gave rise to complex problems of finance. References to the consequent adjustments will be found in the index under "Scotland, the Equivalent in."

The affairs of the Scottish Church and the trend of political feeling in Scotland were reported with care in a series of letters from the Rev. William Carstares, formerly chaplain to King William III.

The position of the Scottish Peers in relation to the Parliament of Great Britain is the subject of several letters and memorials.

The last section contains addresses, memorials and petitions from persons in Scotland both to Queen Anne and to Robert Harley, for the most part asking for pensions, offices, employment, increase of pay and compensation for losses.

CORRIGENDA.

p. 213, l. 20 from foot. *For* [CHARLES] *read* [ALEXANDER].

p. 298, l. 15 from foot. *For* Warstone *read* Cranstone.

p. 298, l. 12 from foot. *For* Greenwich *read* Greenock.

p. 313, l. 4 from foot. The "*missing*" enclosure is on p. 312 (ADAM COKBURNE to his son ADAM COKBURNE).

p. 364-5. *Delete the letter from* [THE EARL OF MAR] to ROBERT HARLEY, *another abstract of which is printed on* pp. 354–5.

p. 417, l. 14. *For* . . a caution *read* sujet à caution.

p. 457, l. 8. *For* CRANFORD'S *read* CRAWFORD'S.

THE MANUSCRIPTS

OF

HIS GRACE THE DUKE OF PORTLAND

VOL. X.

THE NAVY.

1565. A list of the Navy Royal in the reign of Queen Elizabeth, giving names and ratings of 38 ships.

A late copy. The date given can hardly be accurate.

1660. A Discourse presented to the Duke of York touching the past and present state of the NAVY, composed by that ingenious gentleman Sir Robert Slingsby, Knight and Baronet, comptroller thereof.

28½ *pp.*

1665. Instructions for the better ordering His Majesty's Fleet in fighting by James, Duke of York and Albany, Earl of Ulster, Lord High Admiral of England and Ireland, etc., Constable of Dover Castle, Lord Warden of the Cinque Ports and Governor of Portsmouth.

[*This was printed at the time* (*copy in the Royal United Service Institution*) ; *and reprinted in G. Penn's Life of Penn.*]

1673, June 13. Standing Instructions established in Council for ascertaining the duty of the Lord High Admiral of England.

[*See Calendar of State Papers Domestic.*]

ORDER IN COUNCIL.

1675, May 19. A petition having been presented by Sir Robert Robinson, Kt., setting forth that as he has neither worn a Flag in his Majesty's service, nor commanded a ship of the first or second rate, he is not entitled to half pay by the terms of the late establishment ; yet, as with the King's approbation he has had the chief command of several squadrons of ships both in the former and latter war with the Dutch, he submits it whether he may not, by the dignity of his employments and trusts, be entitled to the same allowance as officers so qualified. It is hereby ordered by his Majesty in Council That, in the present case of Sir Robert Robinson, and others of the like nature to come, it be established "That whoever shall either appear to have already had, or shall hereafter, by a special commission from his Majesty or the Lord High Admiral, have the command-in-chief of Twelve of his Majesty's ships of war over and above fire ships and other small craft, shall be entitled to and receive during such time as he shall be out of his Majesty's service at sea, the same pension or allowance of half pay, and on the same terms and conditions as the said pensions and allowance is granted to a Rear Admiral of a squadron by his Majesty's late establishment; the same to be paid quarterly by the Treasurer of the navy." *Signed,* Edward Walker.

1681. Fragment (8 leaves) of a Service Book (Orchard, William, to Young, Anthony), 1660-81. [*An entire book of similar character is in the Public Record Office, Charnock* (*Biographia Navalis*) *has had access to another. This gives the dates of beginning and ending each command.*

TREATY with the DUTCH in 1678.

A discussion of the claim made by Sir William Temple in his Memoirs, to have obtained from the Dutch for the first time in the treaty of 1673 an acknowledgement of the King's dominion of the Narrow Sea. The statement is incorrect; for (1) the obligation to salute the English flag was acknowledged by the Dutch in the treaties of 1654, 1662, 1667; and (2) in the treaty of 1673 nothing is said about "dominion"; the striking the flag is a mark of respect only. So that in reality the treaty excludes the claim of "dominion" when we come to adjust the matter by treaty with the French.

[*A neat Ms. in 4to form,* 17 *pp.*]

1690-1, January 23. Letters Patent appointing Thomas, Earl of Pembroke and Montgomery, Sir Thomas Lee, Baronet, Sir John Lowther, Baronet, Sir Richard Onslow, Baronet, Henry Preistman, Esquire, Anthony Viscount Falkland, and Robert Austen, Esquire, commissioners for executing the office of Lord High Admiral of England and Ireland and the Dominions, Islands, and territories thereunto belonging. [*Copy.*]

1691, July 19. Sir Cloudesley Shovel in the *Plymouth* with some small ships was ordered out of the fleet to look into Brest. 21 July, about 10 of the clock before noon the *Fubs* yacht who had been with Sir Cloudesley to look into Brest came out and told the French fleet were not in Brest but at sea. About noon Sir Cloudesley returned to the fleet and confirmed what the *Fubbs* had told.

25 July. About 6 or 7 in the evening we see some sails to the eastward, our scouts plied after them. The wind easterly they got so near them that they exchanged guns. The French run with top gallion shells flying. Our scouts having order to return into the fleet at night gave over the chase and returned to the fleet. Made but little sail in the night. Query. Why the scouts had not larger orders to pursue the enemy in sight of their fleet that our fleet might be brought in sight of the enemy. September 3. Blew a hard gale. Admiral put for Plymouth. Many of the fleet followed in which there was great confusion and great damage. The *Coronation* and all the men lost and a third rate [in] danger and several other ships much dampnified whereas those that kept out at sea suffered no damage. The conduct of that carrying the fleet into Plymouth is worth enquiring into.

1692, May 19. English and French fleet engaged. The English and Dutch about 84 sail of line of battle ships: the French were 56 line of battle ships, whereof 5 of the French were fired so that at the end of the battle between 8 and 9 at night the English were then little short of double the French; and, if the English had anchored as the French did, the two fleets were so near that it would have been impossible that one in ten of the French would have escaped: but no anchoring signals being made our fleet lay loose and drove from the enemy that rid at least 4 leagues that side. The victualling of the fleet in the straits. Stopping poundage from the slop-sellers without order which makes the poor seamen pay dearer for their clothes Poundage from the marines pretended to be done by order. But that order doth not give it to the Treasurer: but the Treasurer not certifying those deductions to the Navy Board that he might be charged with so much is sinking it in his own pocket. Chaplains and surgeons have been but paid their middle complement this war their groats and 2*d*. Query. Where goes the rest due to the chaplains, etc. Taking fees from secretaries and clerks of the Admiralty and Navy. Settling salaries to the consumption of the public money.

The losing t
opportunit

Tenths of prizes to a great sum lying in the Treasurer's hands a long time. 2 *pp*.

1693. May 2. Court at Whitehall. Regulations and instructions to be observed by all Commanders of Men of War. *Printed*.

And Instructions for such merchants and others who shall have Letters of Marque or Commissions for private Men of War against the French King or his subjects. *Printed*.

THE COMMISSIONERS for executing the office of LORD HIGH ADMIRAL OF ENGLAND to HENRY KILLIGREW, ESQ., SIR RALPH DELAVALL and SIR CLOUDESLEY SHOVEL, Knts. Admirals of their Majesties' Fleet.

1693, May 19. In pursuance of her Majesty's pleasure signified to this Board you are hereby required and directed with the first opportunity of wind and weather to sail with their Majesties' Fleet under your command together with the Squadron of their Majesties' ships under the command of Sir George Rooke and the merchant ships under his convoy bound to the Mediterranean and to keep company with the said Squadron and merchant ships so far as you shall think it requisite, and you are to order Sir George Rooke, after your parting with them to steer such course, for their passage to Cadiz, as shall be thought most safe by a council of War, with relation as well to the Brest Fleet if gone out to sea, as to the Toulon Squadron. You are to send a Frigate before you to Plymouth, to give notice to the *Foresight* and *Archangel* with the merchant ships under their convoy bound to Virginia, and also to the merchant ships there bound to Bilboa to be ready to join you, when you come off that place, and you are to join with them, and keep them company as far as you shall judge fitting, and then send away the Virginia Ships with their Convoy, and order one fourth and one fifth rate of the Fleet under your command to proceed with the ships bound to Bilboa and convoy them with safety to that place; and then return to the Fleet.

When you shall have parted with the Squadron and merchant ships bound to the Mediterranean and those to Virginia and Bilboa as before directed, you are with their Majesties' Fleet under your command to prosecute your former orders. For which this shall be your Warrant. Dated at the Admiralty Office this 19th day of May, 1693.

To Henry Killigrew, Esq.,	Falkland
Sir Ralph Delavall and	J. Lowther
Sir Cloudesley Shovell,	H. Preistman.
Knts. Admirals of their Majesties' Fleet.	R. Austen

By Command of the Commissioners, J. Sotherne.

Copy. [1 page.]

The COMMISSIONERS for executing the office of Lord High Admiral of England to SIR GEORGE ROOKE, Knt. Admiral and Commander in Chief of their Majesties' ships in the Mediterranean.

1693, May 19. In pursuance of her Majesty's commands signified to this board you are hereby required and directed with the Squadron of their Majesties' ships under your command and the merchant ships under your convoy bound to the

Mediterranean to sail with the first opportunity of wind and weather, in company with their Majesties' Fleet now at St. Helens, and proceed so far with them as the Admirals of the Fleet shall direct; and while you shall be in their company you are to follow the said Admiral's orders, and when you part with them you are to steer such course in your passage to Cadiz as they shall direct. And then you are to proceed, according to the former orders you have received from this Board. For which this shall be your warrant. Dated at the Admiralty Office, this 19th May, 1693.

To Sir George Rooke, Knt.,
Admiral and Commander
in Chief of their Majesties'
Ships in the Mediterranean.

Falkland
J. Lowther
H. Preistman
Robt. Austen

By command of the Commissioners,
J. Sotherne.

A true copy. G. Rooke.

By the Commissioners, etc.,

1692-3, March 18. Instructions for Henry Killigrew, Esq., Sir Ralph Delavall, Knt., and Sir Cloudesley Shovel, Knt., Admirals of their Majesties' Fleet.

A list of their Majesties' Ships and Vessels designed to be of the main Fleet for this present expedition.

1st Rates	6	6th Rates	5
2nd Rates	10	Fireships	17
3rd Rates	28	Bomb Vessels	1
4th Rates	6	Hospital Ships	4
5th Rates	4		

The COMMISSIONERS for stating the PUBLIC ACCOUNTS of the Kingdom to the COMMISSIONERS for VICTUALLING their Majesties' Navy.

1694, June 12. By a precept dated May 6, 1693, several matters were required of you, to some of which no return has yet been made and others are a year behind. We therefore, by the authority to us committed, require you to exhibit to us on the 22nd of this instant June at 9 of the clock in the morning, an account in writing, to be attested upon oath of all sums that have been received for victualling their Majesties' Navy, between the determining of your last account and the 25th of March last, and of all payments by you issued within the said times, either ordinary or extraordinary, when paid and the persons to whom, and the use and service for which expended; with an account of the victuals issued, the names of the ships, the times when and the number of men and days for which victualled. And you are from time to time to exhibit to us like quarterly accunts on June 24, September 29, December 25, 1694, and March 25, 1695, or within six days after any of the said times. And we further require you to deliver to us on July 2 next, a distinct account of the victualling of the navy for each year since November 25, 1689; taking care not to include any of the accounts relating to the army. And hereof you are not to fail.

To our very good friends	James Houblon
Thomas Papillon, Symon Mayne,	Ro. Harley
John Agar, Humphrey Ayles, esquires,	Tho. Page Blount
and to all others the Commissioners	Tho. Clarges
for Victualling of their Majesties' Navy.	Cha. Hutchinson

EDMUND DUMMER to ROBERT HARLEY.

1693, June 26. Bath. I came this morning from Bristol and on Wednesday shall go towards home by way of Portsmouth. As soon as I arrive I will kiss your hand. I am entirely barren of news.

The NAVY BOARD to the LORDS of the ADMIRALTY.

1694, August 23. Navy Office. In answer to their order of the 17th inst.; in case it shall be thought fit to establish Kinsale as a yard for cleaning and refitting their Majesties' ships during the war, there should be a commissioner, master shipwright, storekeeper, clerk of the cheque, master caulker and a clerk of the survey.

E. DUMMER to ROBERT HARLEY.

[Before 28 December, 1694.] Their Majesties ship the *Torbay* of 80 guns, built in their yard at Deptford, is designed to be launched to-morrow. In case you are at leisure for about three hours to see the nature thereof I will wait on you where you shall appoint about 11, go in a coach to Deptford by 12, dine and see the launch and bring you back between 3 and 4. I have thus pieced out the moments of your absence from business because I would fain have you see the manner thereof. Pray let me know by the bearer if it will stand with the same and where I shall attend you at the hour above. *Seal.*

Order for ENQUIRY into the repairs of THEIR MAJESTIES' FLEET.

[Before 28 December, 1694.] Their Majesties' ship *Britannia* (in an account handed to us by the Commissioners of the Navy) being charged to have taken up on a very late repair near the sum of £10,000 and the same appearing to us a matter of utmost importance to the Kingdom regard being had to the extraordinary expenses laid out upon the repairs of their Majesties' whole Navy and on this ship in particular between the 1 of April 86 and 12 of October 88 published in Mr. Pepys' account, we do think it fit to authorize and require you to give us answers in writing to the several following heads, so far as the matter therein required touching the Acts of the Navy between the times above named, shall relate to the execution of your respective offices at Chatham, and the same to be done with such integrity and plainness as that the Truth thereof may be attested by each of you upon your Oaths, viz. :

1. To give us your opinion what is meant by the terms, Rebuilding, Extraordinary Repair and Ordinary Repair.
2. Unto which of those terms the works done to the *Britannia* between the 1 of April 86 and 12 of October 88, and those of the value of £10,000 mentioned to have been done since do appertain, together with an account of what orders and methods you were guided by both in the one and in the other with your plain reasons for the accidents of the last repair.
3. To give us the like account whether within your respective provinces, between the said time of April 86 and October 88, there hath happened any of the like second or other repairs or girdling upon any other ships of their Majesties' Navy, and in case of such to mention the ships names, the orders that you received and methods you followed in doing the same, and if therein you have been at any time threatened or controlled in your judgments whereby the faithful discharge of your duties thereupon have been obstructed.
4. The like account whether any certificates about the well doing of repairs in general have been required under your hands, or the hands of the carpenters for their respective ships and whether you believe (*sic*) the same have been done by them voluntarily or obtained of force by using means of terror for the same.

Which articles we recommend to you to consider carefully and uprightly with regard to the Oath you shall have Tendered to you thereupon.

To Mr. Lee, Master Shipwright.

Mr. Dummer Mr. Bagwell Mr. Shertess	Master Shipwright's Assistants.

At Chatham.

Endorsed. Copy of Order for enquiry into the repairs of their Majesties' fleet. *Copy.*

[Before 28 December, 1694.] Whereas we find in the account of repairs done to their Majesties' fleet since the 12 of October 88, which are handed to us by the Commissioners of their Majesties' Navy great sums of money charged for repairs upon divers of them, which have been said to have had their full repairs during that Commission which began the 1 of April 86 and ended the

12 of October 88. We the Commissioners appointed by act of Parliament to examine the public accounts of this Kingdom have thought fit to authorize and require you to give us accounts in writing (suitable to your province) of the nature of those services which relate to the repairs of ships, with your opinions what is meant by the terms, Rebuilding, Extraordinary Repair and Ordinary Repair, and to report to us under your hands unto which of those terms the ships that have had their fitting by you between the 1 of April 86 and the 12 of October 88, have respectively appertained. And it appearing by the aforesaid great expenses that many ships either before they went out of harbour or soon after their coming into sea have been found much out of order and obliged to return to have second repairs or girdling to the great charge and detriment of their Majesties.

And in such case if any ship of their Majesties' Navy under the execution of your trust have fallen under those circumstances, especially in this time of great action, we require of you Extracts of those orders which concerned the same with the ships Names you shall find so, as well for Repairs done in private Yards as for those done in their Majesties' own. Exhibiting plainly the sources whether they relate to the insufficiency of orders or other unusual controlment or invasion of your Office Whatsoever, and herein we expect your answer with truth and Uprightness as the Naked Matter lies with due regard to the oath that will be tendered thereon.

To Mr. Lawrence, Master Shipwright at Woolwich and the like.

To Mr. ffisher Harding and Mr. La. Medbury, at Deptford.

To Mr. Stigeants and Mr. Podd, at Portsmouth.

To Mr. ffurrar, at Sheerness, and such others as were overseers of Repairs in the River Thames under him in that time.

To Mr. Isaac Botts, late Master Shipwright at Portsmouth, now at Harwich.

1695. Computation of the expence of victualling the Navy from November 5, 1688 to September 30, 1694.

1695, April 18. A general state of the Royal Navy between the above dates.

Letters of Sir Geo. Rooke to the Duke of Shrewsbury.

1695-6, Jan. 13. Cadiz. Giving an account of the Emperor of Morocco's inclinations in an enclosed. Giving also some account of the French Fleet and that there was not enough English and Dutch to oppose them, and that they could not expect any assistance from the Spaniards and the Dutch very foul provisions, at their allowance not enough to last longer than the 17th of June nor have most of the other species of stores sufficient and advises rather to recall them than expose them. The *Ipswich* a clean ship wanted 100 men of her complement therefore cannot go to sea. Incloses a list of the ships cleaned and that the prejudice of the worm not great. And that that country had almost an open trade with France under pretence of Genovas. If he had a suitable number of ships he would attack the French in the Isle of Eres ere they expected him.

1695-6, Jan. 27. Cadiz. By the *Canterbury* he heard from Genova the French were ready to put to sea—a very unhappy change that from blocking up the enemy in their ports : we shall be exposed to the disgrace of suffering the blockade ourselves or skulking from the enemy at sea. Complains again of the foulness of the Dutch ships, and that when foul ships there can be no use made of them. The *Falmouth* gone to seek after the enemy who he expects with the first Levant. Complains of want of small frigates to send with Intelligence to England.

1695-6, Feb. 10. Cadiz. That he resolved to send the *Portsmouth* in 2 or 3 days to England with letters. The Spaniards in some fear of Barcelona, and advises when engage the enemy in those seas it ought to be with great force, because their galleys and ports will be near them, and we have no ports to refit. That he thought the ten ships with———would not be sufficient. Complains that most of the ships are not half manned and that with mob too. Concludes he thinks they there are part of his Grace's care though knows nor hears nothing of it. The liberty of England depending on them.

1695-6, Feb. 13. Cadiz. An extract of intelligence of the French Fleet inclosed, and the resolutions of the Flag Officers there if the King approves of them. If the French pass the Straits as is expected there—has ordered the ship that carries this to return with orders if the Admiralty thinks fit to man her.

1695-6, Feb. 13. Cadiz.—Giving an account of a letter received from D. Schombergs which is inclosed [*not here*].

1695-6, Feb. 24. Cadiz.—Giving an account of the receipt of several letters from his Grace and orders from the King to return which they intended to observe, he kept his intentions as private as could, but several private letters were received in the Fleet that had given an account of their being recalled. Gives an account why he sends so great a force with the Turkey Fleet without which they would have been forced to return to England, desires some cruisers to meet them in the Soundings to give them directions as to the distance of the land.

1695-6, March 9. Cadiz.—Still detained by contrary winds : hoped to get home without danger being so much before the French : that the ships were returned from the Turkey Fleet.

1695-6, March 23. Cadiz.—Acquainting him of his having been at sea where met with a storm in which was much danger, but was returned with the greatest loss to the Dutch, and that the ruffle had done more hurt than 4 summers service and advises not to venture too much in the winter, and when he had repaired the damage would sail again, had sent ships to get intelligence.

1696, April 22. 9 Leagues off the Lizard. An account of his arrival in the Channel, and if no orders to the contrary at Plymouth would go to Spithead, left Cadiz 30th ult., he sends a list of the ships with him, and advises to send a small squadron to intercept the French merchantmen. And if he had stayed abroad had persuaded the Algereens to break with France.

1696, April 25. Downs.—An account of some advices he received of the French Fleet which he thought was not got so far as Cape St. Vincent.

1696, April 30. Spithead.—Excusing his abilities to command the Fleet which he heard from Mr. Russell he was to do, and complaining of want of men.

1696, May 2. Spithead.—That he received the Admiralty's orders to sail into the Soundings but was not then ready, having not received beer and provisions till the day before, and had they stayed there and not gone to the Downs the Fleet had been in a readiness by that time. Complains that the want of men in the ships found in England is as great if not greater than in the ships that came from Cadiz.

1696, May 6. Isle of Wight.—Sends a copy of the Line of Battle : that the ships are of great force if manned. The success of a battle might be good but as it is doubts the consequence : that the generality of the ships are not above half manned.

1696, May 9. Off Dartmouth.—Intelligence of the Toulon Squadron being got into those seas : complains he hath not one clean Frigate to make a " scoule " (? scout) of.

1696, May 12. Off the Lizard. An account of the French Fleet's being about Belle Isle by the captain of the *Lince* who was scared out of his senses at the sight of them, and doubts are got into Brest, but however would make that way and get what intelligence he could. Gives his thoughts of the intentions of the French Fleet.

1696, May 19. 21 Leagues off Ushant.—Got thither the 14th, had landed a few men on the shore, had brought off some prisoners, and some of the ships had taken a Man of War of

30 guns. By the prisoners of both sort he understood the French Fleet got into Brest 15th N.S. in an ill condition 3 being disabled and 4 forced to return to Toulon and it was unfortunate our Fleet had not got out sooner to oppose them, and informs how the Fleet lies in Brest.

1696, May 23. Off Dartmouth going into Torbay. Since my last Mr. Aylmore and Sir Martin Beckman joined the Fleet—a fine Fleet and pity but should be made serviceable to the Public, and gives his advice how, viz., by stopping up Brest, and insulting the French coast &c. and had advised the Lords of the Admiralty to supply the Fleet with fresh provisions twice a week without which the men returned from Cadiz would be lost. That he wrote that their Excellencies the Lords Justices might exert their authority in this matter if they thought fit.

1696, May 27. Torbay.—That a French ketch had surrendered to them and desired protection which he advises to encourage other to do the like.

3¼ *pages.*

Another exact copy of the above.

Sir George Rooke's Journal from April 20 to May 7th, 1696.

1696, April 20. From yesterday noon to this day at noon sailed N. 35 degrees, E. 27l. 2m with the wind from North West back to the S.-S.W. some rain and sometime fog; about noon the *Medway* parted from us with the ships bound up the Bristol Channel.

April 21. From yesterday noon to this day noon sailed N. 71 d. E. 41l. with the wind from S.W. to S. and by W. This afternoon our scouts to Leeward made Scilly which at 8 o'clock at night bore N. about six leagues off, after which we steered away E. and by S.E. all night.

April 22. Stood to the Eastward by the wind from S. to S.E. till 9 o'clock at night falling little wind, and the tide of ebb being made we came to an anchor off Plymouth in 43 fathom water, the Ramshead bearing N. and by E. five leagues off the Dover Foresight: and Anglesea came out from Plymouth and brought me orders to proceed to the Downs, at noon the Lizard bore N.W. and by N. eight leagues off. I sent the *Germoon* with an express to Plymouth to give the Duke of Shrewsbury and Lords of the Admiralty an account of my arrival, &c.

April 23. At 5 o'clock this morning weighed and with the wind at S.-S.E. and S.E. plied to the Eastward till the wind veered to the S.-S.W. We steered E. and by N. all day and night, at noon the Start Point bore N.-N.E., 3 or 4 leagues off. I gave out orders of Rendezvous to the Fleet that in case of separation it should be in the Downs—sent an express to the Lords of the Admiralty in answer to their order for proceeding to the Downs.

April 24. At 5 o'clock this morning being off of Dunnose we brought to and lay by for the Kear (*sic*) of the Fleet till 11 o'clock, then filled and with the wind from S. and by W. to S.W. steered away E. and by N. I ordered the Breda into Spithead to repair the defects of her masts, at noon the Culver or Swan Cliff bore N.W. 5 leagues off, at night I struck my union flag and hoisted the white one in its place.

April 25. Steered away E.-N.E. till the length of the Ness then N.E. and by E. to the South Foreland and so into the Downs, where at 3 o'clock in the afternoon we came to an anchor, in the morning met with Capt. Warren with 3 frigates cruising off of Fair Lee, sent an account of my arrival to his Grace the Duke of Shrewsbury and the Lords of the Admiralty.

April 26. In the Downs with the wind fresh at S.-S.W. and S.W. I received [orders] for my proceedings to Spithead with the Fleet, to send a squadron of ships to cruise in the Soundings to send the *Lichfield* and *Experience* to cruise off the North of Scotland and to order the *Prudence* to the Nore. I sent the weekly account of the ships that came with me from the Straits to the Lords of the Admiralty.

April 27. In the Downs with a fresh gale of wind from S.W. to W. This morning I held a Court Martial and the Officers of the Strait Fleet made an humble address to the King with the Association. Pursuant to the Lords of the Admiralty's orders I sent several ships to Margaret Road, the Nore and Spithead.

April 28. In the Downs with the wind from S.-S.W. to S.E. a fresh gale of wind all day and little wind at night. The ships ordered to the Nore and Margaret Road sailed this morning. The *Lichfield* came in from cruising.

April 29. At 4 of the clock this morning made the signal to unmoor being little wind at E.-S.E. and at 3 o'clock afternoon we weighed and with the wind at E. and E.-N.E. steered away to the westward along shore all night. Received advice by letter from Mr. Bridgman the King had been pleased to appoint me Admiral of the Fleet. Pursuant to the Lords of the Admiralty's directions I ordered the Bomb Vessels to remain in the Downs till further orders.

April 30. At 4 o'clock this afternoon hauled in for the shore N. and more Northerly as we run in the wind being E. to E.-N.E. and at 3 o'clock afternoon we came to an anchor at Spithead in 16 fathom water. I found several orders for supplying the ships with provisions, stores, &c. and putting the Fleet in a condition for sea. At noon the Culver Cliffe bore N.-N.W.½ N. about 3 leagues off, at night I received the Lords of the Admiralty's orders to proceed with the Fleet to sea in the Soundings.

May 1. At Spithead with the wind from N.E. to E., fair weather, called a Council of Flag Officers upon the Order for proceeding into the Soundings. Gave repeated Order for fitting and despatching the ships for sea.

May 2. At Spithead with the wind from N. to E. and with much rain and thick dirty weather, I advised again with the Flag Officers about the weak condition of the Fleet as to men. Admiral Allemond arrived this evening. In the morning I received Commissions from the Lords of the Admiralty, for myself to be Admiral of his Majesty's fleet, for Sir Cloudesley Shovel to be Admiral of the Blue, and for Mr. Nevil to be Rear-Admiral of the Red. I also received their Lordship's orders for unmanning some of the ships to man the rest, and to proceed according to my former order without loss of time, and for hastening the squadron into the Soundings under the command of Capt. Foulkes.

May 3. At Spithead with the wind from S. to E. this morning called a Council of Flag Officers about the place of Rendezvous and Capt. Foulkes in the *Resolution* sailed this evening with the ships under his command and pursuant to his orders.

May 4. At 8 o'clock this morning made the signal to unmoor and at 2 o'clock afternoon to weigh and with little wind at S.-S.E. turned out towards St. Helens, the Dutch working away first, and so in order we lay till 8 o'clock at night we came to an anchor again in 13 fathom water St. Helens Church bearing S.W. and by W. and Southsea's Castle N.-N.W. and Bembridge point S.-S.W. of us. I received orders from the Admiralty to take the ships appointed for the several convoys with me into the Soundings. I left orders for Vice-Admiral Aylmer to follow us into the station of Rendezvous, and to bring with him the Bomb Vessels, etc.

May 5. At 5 o'clock this morning weighed and with little wind from E.-S.E. to S. turned without St. Helen where falling calm at 9 o'clock we came to an anchor at 5 fathom water, Culver Cliff bearing S.W. ½ W. 3 m. off. At 2 o'clock afternoon weighed and with very little wind southerly plied off, till 6 in the evening falling calm we came to an anchor again in 7 fathom water, the Culver Cliff bearing W. and by S. 2 leagues off, calm all night.

May 6. Calm and a thick fog with very little wind at S. & S.S.W. all day and night. I sent our Line of Battle to his Grace the Duke of Shrewsbury and the Lords of the Admiralty.

May 7. This morning I removed and hoisted my Flag on board the Britannia at 11 o clock made the signal and weighed and with the wind at S.W. and S.W. by W. plied to windward till six o'clock in the evening the tide being done we came to an anchor in 16 fathom water Dunose bearing N.W. and by N. 4 leagues off, at noon Dunose bore W. and S.W. 5 leagues off.

3 *pages and* 3 *lines.*

GREENWICH HOSPITAL.

1696, September 3. Admiralty Office.—Order, pursuant to the late Act of Parliament, for the stopping of 6*d. per mensem* out of the wages of all seamen serving in His Majesty's ships (as well as those in the service of merchants) for the support of Greenwich Hospital.

Signed, Ri. Rich, G. Rooke, J. Kendall. *Copy.*

1696, October 1. Navy Office.—Abstract of an ordinary estimate for the Navy for one year according to the number of ships now belonging to it and those in building, if all in harbour in a time of peace: and what the charge thereof would be, supposing 48 of them were employed at sea. Total, 947,081*l.* 4*s.*

[1696 ?] By the Commissioners for Executing the Office of Lord High Admiral of England, &c. General instructions for Captains, *pp.* 1-24. For Lieutenants, *pp.* 29, 30.

Orders established for the well government of H.M. Ships and preservation of good order among the commanders, officers, and seamen serving His Majesty in the same. *pp.* 25-28.

Orders established for the well government of H.M. ships and preservation of good order among the commanders, officers,

41 *pp.*, *printed.*

COMMISSIONERS of the NAVY to LORDS of the ADMIRALTY.

1696-7, February 16. Your Lordships, having transmitted to us the valuation of the *Content* and *Trident* prizes, as well as the number of guns the said ships had on board when taken, have directed us to cause the allowance granted by the last Act of Parliament in those cases to be made to those persons who are entitled to the same by virtue of the said Act; but you have not acquainted us with what the allowances are, or who are entitled to them. For the act makes no provision for the capture of ships of war and there appears no allowance due to the captors but ten pounds for every piece of ordnance.

LORDS of the ADMIRALTY to COMMISSIONERS of the NAVY.

1697, May 6. It is the opinion of Mr. Attorney and Mr. Solicitor General, that the captains, officers, and company of his Majesty's ships which did actually take the *Trident* and *Content* are entitled to one-third part of their value and ten pounds for each gun. It appears to us that the *Content* was actually taken by the *Carlisle*, commanded by Captain Norris and the *Trident* by the *Falmouth* and *Adventure*, commanded by Captain Grantham and Captain Charles Cornewall; which ships *Content* and *Trident* are employed in his Majesty's service and entered in the list of the Royal Navy; you are therefore to pay one-third of the valuation of the *Content* and also ten pounds for each gun to Captain Norris ; and the like to Captain Grantham and Captain Cornewall for the *Trident*, to be distributed among them, their officers and ship's company, as directed by Act of Parliament.

Copy. Note. The Attorney and Solicitor differed in their opinion.

VICTUALLING ACCOUNT.

1697. Since Michaelmas 1694 to Michaelmas 1697 there has been issued from the Treasurer of the Navy to the Victuallers		2,313,170 10 2¾
And the debt owing at that Office at Michaelmas 1697 is said to be		182,114 0 0
Total Charge		2,495,284 10 2¾
Owing at Michaelmas, 1694	329,289 3 9½	
By Allowance for 40,000 for the years 1695-6-7, for 13 months in each year at 20*s.* a man a month, being yearly £520,000	1,560,000 0 0	
		1,889,289 3 9½
So in the three last years the charge has exceeded the Parliament's Allowance ...		605,995 6 5½
		£2,495,284 10 2¾

Which makes the yearly charge to come out unto £721,998 8*s.* 9¾*d.*, and comes out at 27*s.* 9*d.* a man *per mensem.*

As provisions were as dear before Michaelmas 1694 as they have been at any time since, and yet to that time, it came out at 21*s.* 3*d.*, the exceeding since must proceed from some or all the causes following :

(1) A greater number of men than was allowed.

(2) Keeping them on board longer than was necessary, because the seamen could not have their wages paid them.

(3) Suffering the seamen to sell their victuals, by which the King lost one-half of the price.

(4) Excessive rates given for provisions for want of ready money, occasioned partly by not paying in course.

Which and many other inconveniences will cease in time of peace.

1697, December 14. Admiralty Office. Estimate of the general debt of the Navy to September 30, 1697. Total, 2,522,523*l.*

[*Printed in the House of Commons' Journals.*]

Another copy of the above.

THE MARINES.

1698, July 18. Order for the establishment of four new regiments of Marines, to be commanded by Colonel William Seymour, Colonel Edward Dutton Colt, Colonel Henry Mordaunt and Colonel Thomas Brudnall.

Printed in Edge's History of the Royal Marines, i., 522-3.
Enclosures.

1689-90. Order for the Establishment of two Marine Regiments of Foot: to commence from January 31. *Printed ibidem,* vol. i., *pp.* 306-7.

1690-91, February 16. Whitehall.—Order for the payment of the two Marine Regiments out of money appointed for the service of the Navy; with a new establishment.

Printed ibidem, vol. i., *pp.* 342-3.

1690, March 26. Kensington.—Order to the Treasurer of the Navy to receive the money for the payment of the two Marine Regiments, as established on January 31 last, and to pay them: deducting 12*d.* out of every twenty shillings paid to the officers and soldiers, and also, from the said officers and soldiers, one day's pay in every year; the sums so deducted remaining in the Treasurer's hands, to be disposed of as We shall from time to time direct.

Memorandum for Mr. Secretary Harley.

The Marines in the *Revenge* are part of Captain Robinson's and part of Captain Lisle's companies in the regiment commanded by Colonel Holt: the other parts of those companies are, or were, at Gibraltar. *Not dated.*

1698. An account of what new Employments have been erected between November 5, 1688, and December 1, 1698, in the Navy, and by what orders.

The principal are

1689. Judge of the Admiralty Court at £400 *per annum.*
Master Builder of Bomb Vessels at £200.
Assistant to the Surveyor of the Navy at £300.

December 14. Appointment at Plymouth:
Master Attendant at £100.
Storekeeper and Muster Master at £120.
Master Caulker, at £60.

In 1690
Clerk of the Survey at £60.
Master Shipwright at £100.

And in 1692
Clerk of the Cheque, at £100.
Surgeon at £38 13*s.* 10*d.*
Porter at £13 5*s.* 9*d.*

1691, October 30. Richard Brown, Physician to the Red Squadron, Jeremiah Butts, Physician to the Blue Squadron, at 20*s*. a day.

1694. October 12. Appointments at Kinsale:
Master Attendant at £100
Storekeeper at £100.
Clerk of the Survey at £60.

1698. An account of what Salaries have been increased in the Navy between November 5, 1688 and December 1, 1698, and by what order.

The principal are

1690, May 14. Extra allowance of 20*s*. a day to Admiral Russell as Admiral of the Blue.

1690, December 29. Extra allowance of 30*s*. a day to Admiral Killigrew over and above his pay as Vice Admiral of the Red from the time Admiral Russell left him till the date of his commission to be Admiral of the Blue; and 20*s*. a day extra from that time till he was made one of the Admirals of the Fleet.

1691, October 19. 10*s*. a day to Captain Matthew Aylmer, late commander of their Majesties' Ships in the Mediterranean over and above his pay as captain, from the date of his commission till the time of his discharge from the *Monck*.

1692, October 20. Captain Benbow to be paid as Master Attendant at Deptford for the time he acted as master of the *Sovereign* and captain of the *Britannia*, over and above his wages as master and captain.

1693, November 14. Vice Admiral Hopsonn to be paid as Captain of a first-rate for the time he commanded the *Breda*, a third-rate.

1693-4, January 17. 20*s*. a day to Henry Killigrew, Esq., Sir Ralph Delavall, and Sir Cloudesley Shovel, for their table, while they were joint admirals.

1694, December 26. Admiral Russell, Lord Berkeley and Sir George Rooke to be allowed each, 20*s*. a day for their table, over and above the increase of double pay.

1694-5, February 15. Vice-Admiral Hopson to be allowed 20*s*. a day while he shall not be employed at sea, in consideration of resigning his post as Rear-Admiral of the Blue, upon the Marquis of Carmarthen having that post by his Majesty's order.

1695, September 12. 10*s*. a day to Henry Preistman, Esq., from the date of his commission to be Commander in Chief of the ships employed against Sally in 1684, to the time the *Bonaventure* was paid off, over and above his pay as commander of her.

1695, September 12. The pay of Captain Benbow to be made equal to that of a rear-admiral while he continued cruising with the ships on the coast of France.

1696, September 11. Captain Benbow to have rear-admiral's pay for the 58 days he was employed with the bomb vessels.

December 24. Henry Killigrew, Esq., to have 10*s.* a day during the time he commanded the squadron against Sally in 1688, over and above his pay as captain of the *Dragon.*

1697-8, January 12. Captain Munden to have 10*s.* a day, over and above his pay, for the time he was commander in chief of the ships in the river of Thames and Medway.

Query : Why was not one of the flags there ?

1697-8, March 2.—Captain Norris to have 10*s.* a day extraordinary, while he was commander in chief of the Newfoundland squadron.

[*Printed in the Journals of the House of Commons, vol. xii., pp.* 381 *to* 385.]

1698, December 20. An account how the Ten Thousand men allowed the last year by the parliament have been employed.

ABSTRACT.

	Home Service.	Gone up the Straits with the Newfoundland Ships.	Mediterranean Squ'dron	West Indian Squ'dron	East Indian Squ'dron	Attending the Plantations	On particular Service.
Rates III. ...	4	–	3	–	–	–	–
,, IV. ...	7	2	5	3	2	–	–
,, V. ...	5	1	4	1	1	2	2
,, VI. ...	5	–	2	1	1	3	2
Yachts, Fire-ships, &c. ...	17	–	4	–	–	–	–
	38	3	18	5	4	5	4

Printed in House of Commons Journals for Dec. 21, 1698.

1698-9, January 26. Admiralty Office.—An account of the times when the East, West India and Straits Squadrons were ordered to be fitted out.

Printed in the House of Commons Journals, 1698-9, *Jan.* 10.

THE NAVY.

[1698-9, March ?] At the time, when the nation is so much in debt, to double the pay of captains, lieutenants, and masters, is prodigious ; so is placing all captains and first lieutenants on half pay when unemployed ; a thing that was never done before this reign, although we were never worse served at sea. It should be asked what officers' salaries in the King's Yards, Admiralty, and Navy Office, have been raised ? by whose order and when ? What gratuities have been given to officers at sea or the Admiralty or Navy Board ; to whom, by what order and for what ? And why so many ships were kept in pay after the peace till last September, at a cost of 1,500*l.* a day ; and still there are as many as cost about 500*l.* Enquiry should be made about poundage of clothes, tobacco, chaplains' and surgeons' and barbers' wages; as to what became of some fish prizes that were brought to Cadiz, the fish sold, and the fleet like to starve. The Treasurer to be asked what is become of all seamen's wages that no person has looked after all this war. If I am right, the Treasurer has it all under 5*l.* due to each man; small sums due to men discharged or dead, not worth looking after if the men or their friends live at a great distance. The account brought in for prizes will not do. Such an article as one hundred and odd thousand pounds for management, without any particulars, ought to be explained: and what is become of the other two hundred and odd thousand pounds? to whom has it been paid and for what?

Query. *Memoranda for the debate on the Address.*

EDMUND DUMMER.

[1698.] (1) His answer to John Fitch's accusation, delivered upon oath to the Lords Commissioners for executing the office of Lord High Admiral of England, that Dummer told him that he expected presents from him upon payments of money made to him in respect of the works of Portsmouth Dockyard.

(2) An abstract of Dummer's case in reference to the same accusation.

1698-9, January 31. *Memoranda* in Harley's handwriting touching special allowances to officers of the Navy. *Docketed* Notes about the Fleet.

[1698-9], January 31.—Notes of a grant of wrecks in the West Indies in 1692; of its assignment to others in January 1697-8; of the formation of a company for working this, in June 1698, of a commission and instructions to Colin Hunter to be captain of the *Dolphin*, a 5th rate man of war, to proceed to the West Indies in prosecution of the business; and an order to put the men on reduced allowance when out of the Channel. By the original grant, one-tenth was reserved to the crown: another tenth of the profits is reserved to the original grantees; and the residue is divided into 1000 shares; of which the crown is to have 100 for the use of the *Dolphin*, manned and victualled; 200 are allotted to the Earl of Macclesfield and 100 to the Earl of Orford for their trouble in obtaining the use of the ship and the commission to Captain Hunter, who has 95 shares. The rest, in different proportions amongst the adventurers.

[1699 ?] Opening pages of a report relating to the proposal to grant half pay for captains, lieutenants, and masters, to which the writer is opposed. *Unfinished.* 6 *pp.*

A rough Draft of a new MODEL at SEA.

[1699 ?] I will make no introduction to the following discourse than that the importance of our being strong at sea was ever very great, so in our present circumstances it is grown to be much greater, because as formerly our force in shipping contributed to our Trade and safety . . . . now it is become indispensably necessary to our being. It may be said now to England, Martha, Martha thou art busy about many things, but one thing is necessary. To the question, what shall we do to be saved in this world ? there is no other answer but look to your mote.

The first article of an Englishman's political creed must be that he believeth in the sea, &c., without that there needeth no General Council to pronounce him incapable of salvation.

We are in an island confined to it by God Almighty not as a penalty but a grace, and one of the greatest that can be given to mankind. Happy confinement ! that hath made us free, rich, and quiet, a fair portion in this world, and very well worth the preserving. A figure that hath ever been envied and could never be imitated by our neighbours. Our situation hath made greatness abroad by land conquests unnatural things to us. It is true we have made excursions and glorious ones too, which make our names great in history, but they did not last. Admit the English to be giants in courage yet they must not hope to succeed in making war against Heaven, which seemeth to have enjoined them to acquiesce in being happy within their own circle. It is no paradox to say that England hath its root in the sea, and a deep one too, from whence it sendeth its branches into both the Indies. We may say further in our present case that if allegiance is due to protection, ours to the sea is due from that rule, since by that and that alone we are to be protected, and if we have of late suffered the usurpation of other methods, contrary to the homage we owe to that which must preserve us, it is time now to restore the sea to its right, and as there is no repentance effectual without amendment, there is not a moment to be lost in the going about it.

It is not pretended to launch into such a voluminous treatise as to set down everything to which so comprehensive a subject might lead me. For as the sea hath little less variety in it than the land, so the naval force of England extendeth itself into a great many branches, each of which are important enough to require a discourse apart and peculiarly applied to it. But there must be a preference to some considerations above others, when the weight of them is so visibly superior that it cannot be contested. It is there first that the foundations are to be laid of our naval economy. Amongst these there is one Article which in its own nature must be allowed to be the corner stone of the building, viz., the choice of officers with the discipline and encouragement belonging to them.

Upon this head only I shall then take the liberty to venture my opinion into the world with a real submission to those who may offer anything better for the advantage of the public.

The first question then will be, out of what sort of men the Officers of the Fleet are to be chosen, and this immediately leadeth us to the present controversy between the gentlemen and the Tarpaulins.

The usual objections on both sides are too general to be relied upon, partiality and common prejudices direct most men's opinions, without entering into the particular reasons which ought to be the ground of it. There is so much ease in acquiescing in generals, that the ignorance of those who cannot distinguish,, and the laziness of those that will not, maketh men very apt to decline the trouble of stricter enquiries, which they think too great a price for being in the right let it be never so valuable. This maketh them judge in the lump and either let their opinions swim along with the stream of the world or give them up to be wholly directed by success. The effect of this is that they change their minds upon every present uneasiness, wanting a steady foundation upon which their judgment should be formed. This is perching upon the twigs of things, and not going to the root. But sure the matter in question deserveth to be examined in another manner since so much dependeth upon it.

To state the thing impartially it must be owned that it seemeth to lie fairest for the Tarpaulin. It giveth an impression that must have so much weight as to make a man's opinion lean very much on that side it carrieth so much authority with it. It seemeth to be so unquestionable that those are fittest to command at sea who have not only made it their calling, but their element, that there must naturally be a prejudice to anything that can be said against it. There must therefore be some reasons very extraordinary to support the argument on the other side or else the gentleman could never enter the lists against such violent objection which seemeth not to be resisted. I will introduce my argument with an assertion, which as I take to be true almost in all cases, so it is necessary to be explained and enforced in this. The assertion is that there is hardly a single proposition to be made which is not deceitful, and the lying our reason too close to it may in many cases be destructive, circumstances must come in and are to be made a part of the matters of which we are to judge. Positive decisions are always dangerous more especially in politics. A man who will be master of an argument must do like a skilful general who sendeth scouts on all sides to see whether there may not be an enemy. So he must look round to see what objections can be made and not go on in a straight line which is the ready way to lead him into a mistake. Before then that we conclude what sort of men are fittest to command at sea, a principle is to be laid down that there is a differing consideration to be had of such a subject matter as is in itself distinct and independent, and of such a one as being a limb of a body or a wheel of a frame there is a necessity of suiting it to the rest and preserving the harmony of the whole. A man must not in that case restrain himself to the separate consideration of that single part, but must take care it may fall in and agree with the shape of the whole creature of which it is a member.

According to this proposition, which I take to be indisputable it will not I hope appear an affectation, or an extravagant fit of unseasonable politics, if before I enter into the particular state of the present question I say something of the Government of England and make that the ground work of what sort of men are most proper to be made use of to command at sea.

The forms of government to which England must be subjected are either Absolute Monarchy, a Commonwealth, or a mixed Monarchy, as it is now, with those natural alterations that the exigency of affairs may from time to time suggest. As to Absolute Monarchy I will not allow myself to be transported into such invectives as are generally made against it, neither am I ready to enter into the aggravating style of calling everything slavery that restraineth men in any part of their freedom. One may discern in this as in most other things the good and the bad of it, we see by too near an instance what France doth by it, it doth not only struggle with the rest of Christendom, but is in a fair way of giving law to it. This is owing in a great measure to the strength of a despotic and undivided power. The uncontrollable authority of the Directive Councils maketh everything move without disorder or opposition, which must give an advantage that is plain enough of itself without being proved by the melancholy experience we have of it at this time.

I see and admire this yet I consider at the same time that all things of this kind are comparative, that as on one side without government men cannot enjoy what belongeth to them in particular nor can a nation secure or preserve itself in general, so on the other side the end of government being that mankind should live in some competent state of freedom, it is very unnatural to have the end destroyed by the means that were originally made use of to attain it. In this respect something is to be ventured rather than submit to such a precarious state of life as would make it a burden to a reasonable creature, and therefore after I have owned the advantage in some kinds of an unlimited government, yet, whilst they are attended with so many other discouraging circumstances, I cannot think but that they may be bought too dear. And if it should be so that it is not possible for a state to be great and glorious, except the subjects are wretchedly miserable, I am not ashamed to own my low-spirited frailty in preferring such a model of government as may agree with the reasonable enjoyments of a free people before such a one by which Empire is to be extended at such an unnatural price. Besides whatever men's opinions may be one way or another in the general question there is an argument in our case that shutteth the door to any answer to it, viz. We cannot subsist under a despotic Power, our very being would be destroyed by it, for we are to consider we are a very little spot in the map of the world, and made a great figure only by Trade which is the creature of liberty, one destroyed, the other falleth to the ground by a natural consequence that will not admit a dispute. . . . If we should be measured by our acres, we are a poor, inconsiderable people, we are exalted above our natural . . . . . . by our good laws and our excellent constitution. By this we are not only happy at home but considerable abroad. Our situation, our humour, our Trade, do all concur to strengthen this argument, so that all other reasons must give place to such a one as maketh it out that there is no mean between being a free nation and no nation. We are no more a people, nor England can no longer keep its name from the moment that by our liberty being extinguished the vital strength that should support us is withdrawn. We should then be no more than the carcase of a nation, with no other security than that of contempt, and to subsist upon no other tenure than that we should be below the giving temptation to our stronger neighbours to devour us. In my judgment therefore, there is such a short decision to be made upon this subject, that in relation to England, an Absolute Monarchy is as unreasonable a thing to be wished, as I hope it will be impossible ever to be obtained.

It must be considered . . in the next place whether England is likely to be turned into a Commonwealth.

It is hard at any time to determine what will be the shape of the next Revolution, much more at this time would it be inexcusably arrogant to undertake it. Who can foresee whether it shall be from without or from within or from both ? whether with or without the concurrence of the People ? whether regularly produced or violently imposed ? I shall not therefore magisterially declare it impossible that a Commonwealth should be settled here, but I may give my humble opinion, that according to all appearances it is very improbable.

I will first lay it down for a principle that it is not a sound way of arguing to say that, if it can be made out that the form of a Commonwealth will best suit with the interest of the nation, it must for that reason of necessity prevail.

I will not deny but that interest will not lie is a right maxim wherever it is sure to be understood, else one had as good affirm that no man in particular, nor mankind in general can ever be mistaken. A nation is a great while before they see, and generally they must feel first before their sight is quite cleared. This maketh it so long before they can see their interest, that for the most part it is too late for them to pursue it, if men must be supposed always to follow their true interest, it must be meant of a new manufacture of mankind by God Almighty; there must be some new clay, the old stuff never yet made any such infallible creature. This being premised it is to be enquired whether instead of inclination or a leaning towards a Commonwealth there is not in England a general dislike to it. If this be so, as I take it to be, by a very great disparity in numbers, it will be in vain to dispute by reason whilst humour is against it. Allowing the weight that is due to the argument which may be alleged for it, yet if the herd is against it the going about to convince them would have no other effect, than to show that nothing can be more impertinent than good reasons, when they are misplaced or ill timed. I must observe that there must be previous dispositions in all great changes, to facilitate, and to make way for them, and I think it not at all absurd to affirm that such Revolutions are seldom made at all except by the general preparation of men's minds, they are half made before it is plainly visible that men go about them.

This maketh all the Republican schemes borrowed from the ancient or invented by the modern Doctors in politics to be no more than dreams, when they are attempted to be put in practice where a nation is so generally prepossessed against them.

Though it seemeth to me that this argument alone maketh all others·unnecessary, yet I must take notice that besides what hath been said upon this subject there are certain preliminaries to the first building a Commonwealth, some materials absolutely necessary for the carrying on such a fabric which are at present wanting amongst us. I mean Virtue, Morality, Diligence, Religion or at the least Hypocrisy. Now this age is so plain dealing as not to dissemble so far as to an outward pretence to qualities, which seem at present so unfashionable and under so much discountenance. From hence we may draw a plain and natural inference that a Commonwealth is not fit for us, because we are not fit for a Commonwealth.

This being granted,the supposition of this form of government in England with all its consequences to the present question must be excluded, and absolute monarchy having been so too by the reasons at once alleged, it will without further examination fall to a mixed Government, as we now are, I will not say that there is never to be any alteration, the constitution of the several parts that concur to make up the frame of the present Government may be altered in many things, in some for the better, and in others perhaps for the worse according as circumstances shall arise to induce a change and as passion and interest shall have more or less influence upon the public councils. But still if it remaineth in the whole so far a mixed monarchy, that there shall be a restraint upon the Prince as to the exercise of a despotic power, it is enough to make it a groundwork for the present question. It appeareth then that a bounded Monarchy is that kind of Government which most probably will prevail and continue in England from whence it must follow (as hath been hinted before) that every considerable part ought to be so composed as the better to conduce to the preserving the harmony of the whole constitution. The Navy is of so great importance that it would be disparaged by calling it less than the life and soul of the Government. Therefore to apply the argument to the subject we are upon, In case the officers should be all Tarpaulins, it would either be in reality or at least it would be thought too great a tendency to a Commonwealth. Such a part of the constitution being democratically disposed may be suspected to endeavour to bring it into that shape, and where the influences must be so strong the supposition will be the more justifiable. In short if the maritime force which is the only thing that can defend us should be wholly directed by the lower sort of men with an entire exclusion of the Nobility and Gentry it will not be easy to answer the arguments supported by so great a probability that such a scheme would not only lean towards a Democracy but directly lead us into it.

Let us now examine the contrary proposition, viz. that all officers should be gentlemen.

Here the objection lieth so fair of its introducing an arbitrary government that it is as little to be answered in that respect, as the former is in the other. Gentlemen in a general definition will be suspected to lie more than other men under the temptations of being made instruments of unlimited power. Their relations, their way of living, their taste of the entertainments of the Court, inspire an ambition that generally draweth their inclinations towards it, besides the gratifying of their interests men of quality are often taken with the ornaments of government. The splendour dazzleth them so as that their judgments are surprised by it, and there will be always some that have so little remorse for invading other men's liberties that it maketh them less solicitous to preserve their own.

These things throw them naturally into such a dependence as might give a dangerous bias, if they alone were in command at sea. It would make that great wheel turn by an irregular motion, and instead of being the chief means of preserving the whole frame might come to be the chief instrument to discompose and dissolve it.

The two former exclusive propositions being necessarily to be excluded in this question there remaineth no other expedient neither can any other conclusion be drawn from the argument as it hath been stated than that there must be a mixture in the Navy of Gentlemen and Tarpaulins as there is in the Constitution of the Government of power and liberty. This mixture is not to be so rigorously defined as to set down the exact proportion there is to be of each the greater or less number must be directed by circumstances of which the Government is to judge, and which make it improper to set such bounds, as that upon no occasion it shall on either side be lessened or enlarged. It is possible the men of Wapping may think they are injured by giving them any partners in the dominion of the sea, they may take it unkindly to be jostled in their own element by men of such a different education that they may be said to be of another species. They will be apt to think it an usurpation upon them and notwithstanding the instances that are against them and which give a kind of prescription on the other side, they will not easily acquiesce in what they conceive to be a hardship to them.

But I shall in a good measure reconcile myself to them by what follows, viz. The gentlemen shall not be capable of bearing office at sea except they are tarpaulins too, that is to say, except they are so trained up by a continued habit of living at sea, that they may have a right to be admitted free denizens of Wapping. Upon this dependeth the whole matter, and indeed here lieth the difficulty, because the gentlemen brought up under the connivance of a looser discipline, and of an easier admittance, will take it heavily to be reduced within the fetters of such a new model, and I conclude they will be extremely averse to that which they will call an unreasonable yoke upon them, that their original consent is never to be expected. But if it appeareth to be convenient, and which is more that it is necessary for the preservation of the whole that it should be so, the Government must be called in aid to suppress these first boilings of discontent, the rules must be imposed with such authority, and the execution of them must be so well supported, that by degrees their impatience will be subdued, and they will concur in an establishment to which they will every day be more reconciled. They will find it will take away the objections which are now thrown upon them, of setting up for masters without having ever been apprentices, or at least without having served out their time.

Mankind naturally swelleth against favour and partiality their belief of their own merit maketh men object them to a prosperous competitor, even when there is no pretence for it, but where there is the least handle offered, to be sure it will be taken, so in this case, when a gentleman is preferred at sea the Tarpaulin is very apt to impute it to friends or favour, but if that gentleman hath before his preferment passed through all the steps which ought to lead to it, that he smelleth as much of pitch and tar as those that were swaddled in a sail cloth, his having a scutcheon will be so far from doing him harm that it will set him upon the advantage ground, it will draw a real respect to his quality, when so supported, and give him an influence and an authority infinitely superior to that which the mere seaman can ever pretend to.

When a gentleman hath learned how to obey, he will grow very much fitter to command, his own memory will advise him not to exact unreasonable things, and for smaller faults not to inflict too rigorous punishments. He will better resist the temptations of authority (which are great) when he reflecteth how much he hath at other times wished it might be gently exercised when he was liable to the rigour of it. When the undistinguished discipline of a ship hath tamed the young mastership which is apt to arise from a gentleman's birth and education, he then groweth proud in the right place, and valueth himself first upon knowing his duty, and then upon doing it.

In plain, Englishmen of quality in their several degrees must either restore themselves to a better opinion both for morality and diligence, or else quality itself will be in danger of being extinguished.

The original gentleman is almost lost in strictness when posterity doth not still further adorn by their own virtue the scutcheon their ancestors first got for them by their merit they deserve the penalty of being deprived of it.

To expect that quality alone should waft men up into places and employments is as unreasonable as to think that a ship because it is carved and gilded should be fit to go to sea without sails or tackling. But when a gentleman maketh no other use of his quality, than to incite him the more to do his duty, it will give him such a true and settled superiority as must destroy all competition from those that are below him.

It is time now to go to the probationary qualifications of an officer at sea, and I have some to offer which I have digested in my thoughts. I hope impartially that they may not be speculative notions, but things easy and practicable, if the directing Powers will give due countenance and encouragement to the execution of them, but whilst I am going about to set them down, though this little essay was made to no other end than to introduce them, I am upon better recollection induced to put a restraint upon myself, and rather retract the promise I made at the beginning, than by advising the particular methods by which I conceive the good end that is aimed at may be obtained, to incur the imputation of the thing of the world of which I would least be guilty, which is of anticipating by my private opinion the judgment of the Parliament, or seeming out of my slender stock of reason to dictate to the supreme wisdom of the nation. They will no doubt consider the present establishments for the discipline at sea, which are many of them very good and if well executed might go a great way in the present question. But I will not say they are so perfect but that others may be added to make them more effectual, and that some more supplemental expedients may be necessary to complete what is yet defective. And whenever the Parliament shall think fit to take this matter into their consideration, I am sure they will not want for their direction the auxiliary reasons of any man without doors, much less of one whose thoughts are so entirely and unaffectedly resigned to whatever they shall determine in this or anything else relating to the Public.

[11 *pages.*]

——————— to [ROBERT HARLEY.]

1699. If the gentleman who valued himself so much the other day upon the regulation of corruptions in his Office meant the taking away of some small fees from the Secretary and his clerks which they always had for Commissions and Warrants for Places, etc., I must beg his pardon if I think he has no reason for it. The fees were never complained of and nobody has ever thanked them for the retrenchment of them or followed their example and if the stream is only turned another way, I cannot tell why anybody should think himself beholden to them for it.

But whosoever gains by it the King is a certain loser for he is at upwards of 2,000*l.* a year charge for secretaries, clerks, and other officers in that office more than before and such people by that means introduced as are wholly unqualified for such offices. Nay, if you compare the 1st Article or the ordinary estimate for 1685 with those for 1697 you will find the difference of the charge of that Office a great deal more.

But possibly this gentleman might glance at the order of prohibition to the clerks to receive any seamen's wages. Therefore I must examine that likewise.

First as to the clerks. No abuses or unfair practices therein were ever proved or objected against them. Secondly the poor seamen are infinitely abused by this establishment, being forced to trust strangers, instead of friends, who receive their money and often run away with it—a parcel of the most profligate wretches in the nation being set up for solicitors, who are daily playing tricks with the seamen and cheating them so much for this speech. Now for some others, wherein Harlow's court martial was censured. If ever there was a fair trial of that kind, that was one. But if the gentlemen of the Admiralty have so ill an opinion of these Courts why do they not have the trial at Westminster, having lately obtained a law to do it, if they please. If it was such a crime in Harlow to miss Pointy, why was not Norris called to account for missing him in Newfoundland. One Comberbatch and his mate have had 700*l.* paid them by two orders (copies enclosed) for giving him notice of his being there, and his Majesty should have something for his money. Give me leave to say something further concerning the Half-pay so much contended for. In former wars all ships not usually employed in winter were paid off in October and not entered into wages again till about February following, but in the late war not only the captains and officers of the Fleet have been kept in pay the year round, but also all the ships' companies for their sakes—an unnecessary expense, and the seamen thereby mightily disobliged. These men having had their old pay doubled and been kept all this long war, contrary to anything formerly done, have they not reason to be satisfied without further consideration? Several other things I have to communicate of the like kind when you shall give me opportunity.

COUNCIL of TRADE.

[1699 ?]. Draft of proposals for empowering the Council of Trade to require information from the merchants, to send the Admiralty directions for the protection of trade, to send them directions to proceed against officers complained of in relation to trade, to consider the best methods of securing the plantation trade, of encouraging foreign trade, and to examine persons on oath. With interlineations and connections in Harley's writing; three slips, each with one clause as amended written fair; and a fair copy of the whole.

THE TREASURER of the NAVY.

[1699 ?]. In King Charles 1st time Sir William Russell was Treasurer of the Navy at the salary of 500*l.* *per annum* with the allowance of 2 or 3 pence in the pound for slops, tobacco, dead men's clothes, &c., and a small annual allowance from the chest.

In the year 1650 O[liver] C[romwell] Protector . . . . . the then Treasurer of the Navy set forth to the Committee of the Navy that 2 in the pound poundage was an oppression to the subject for which reason it ought to be retrenched. Upon consideration thereof had, poundage was retrenched, and an advance made to the Treasurer's salary of 1,000*l.* *per ann.* more, which made it 1500*l.* *per annum* in all.

In the year 1681, by Letters Patent from King Charles II., the Treasurer of the Navy's Salary and clerks was increased to 3800*l.* *per annum* upon the increase of his business, and 460*l.* *per annum* as an extra allowance for clerks made since the time of these Commissioners of the Admiralty.

You will find by the Treasurer's instructions, the ninth article already laid before the House, that he is to be paid by Salary and not by Poundage.

You will likewise find by the papers now before the House touching Poundage stopped by the Treasurer or Paymaster of the Navy for by both that there has been poundage stopped all along notwithstanding the large allowance of salary to the Treasurer, and that the Treasurer by the petition of his Paymaster to his Majesty was agoing to get it confirmed as an ancient usage, had not the Navy Board opposed it. You will also find the order of Council in 73 for allowing Pursers to issue tobacco, that no such allowance is mentioned therein, and expressly prohibited in the 11 and 12 Articles of Instructions to the Treasurer.

The slopsellers of the Navy lately complained to the N[avy] B[oard] of this among other things as a hardship, which was handed to the Lords of the Admiralty without redress.

So that it is to be considered what vast sums of money has gone through the Treasurer's hands this long war being upwards of 16,000,000*l.* what vast deductions has been made thereout by the Treasurer and Paymaster of the Navy for slops, tobacco, dead men's clothes, allowances of groats. To Ministers and Surgeons and Chest the whole at least 40 or 50,000*l.* at 12 pence in the pound and if 2 pence or 3 pence in the pound was thought an oppression so many years since when the Navy was not one third so big, and wars never above one-third so long what must 12 pence in the pound be thought now!

Besides such deductions are an abuse to the subject in another sense for by means thereof the slopper seller cannot afford the men so good pennyworths nor the pursers so good tobacco.

Query 1st. Why was not Capt. White of the *Severne* turned out for running from his ship on the coast of Ireland in time of war 1697 never coming near her in some month.

Answer. Because he married the daughter of Sir Robert Rich, he was not tried at a Court Martial, but after a long delay mulcted 4 months' pay in July 95 by the Admiralty's order.

Query 2nd. Why was not Capt. Eyton of the *Sandaloes* Pr. turned out for leaving his ship at Newfoundland and running on board the enemy with his boats where he was taken prisoner, the ship was afterwards commanded by the Lieutenant in a voyage from thence to the Straits and after many months she being kept for Eyton he commanded her again.

Answer. He was also related to S. R. Rich and had this favour, though a mere sot.

Undated. 3 *pp.*

[1699 ?] Answer to Queries relating to the Consistency of the Treasurer of the Navy being at the same time one of the Lords of the Admiralty.

1. He is superior to his fellow officers at the Navy Board, so that they cannot be so strict in exacting the performance of his duty as they otherwise would be, as :—

1st. By the Treasurer's Instructions he is, at the end of every year, to lay before the Board a digest of his accounts, which is to be signed by the Principal Officers and Commissioners of the Navy. This has only been done for one year by the present Treasurer.

2nd. He is instructed, once a year or oftener to remonstrate to the Lord Admiral [or the Commissioners for executing the office] the state of all services, with his assignations and payments, in order to the laying of the same before his Majesty, so as to procure better and speedier payments. No one such representation has been made by the present Treasurer, greatly to the prejudice of his Majesty's service.

3rd. He is instructed to attend at all or most of the payments of ships and yards. During the term of office of the present Treasurer, millions of pounds have been paid out for wages, and he has not been at the payment of any part thereof.

4th. It is established that the Treasurer shall be paid by salary and not by poundage; and that he or his cashier shall attend all meetings of the Board to give satisfaction and receive directions in all matters relating to his office. The present Treasurer has taken poundage from the slopsellers, Chest [at Chatham], Ministers and Surgeons; and neither he nor his cashier has once attended the Board, which is greatly to the prejudice of his Majesty's service.

5th. The Treasurer is instructed to reside in the house provided by his Majesty at great charge, so as to be constantly accessible to merchants, seamen and others. He has not resided in the house, nor attended in the office, and the great trust has been left in the hands of under officers, to the great reproach and prejudice of his Majesty's service.

The second query touching the progress of the Treasurer in passing his accounts.

Of above 16,000,000*l*. paid during the late war, one account only and that not exceeding 400,000*l*. has regularly passed the Navy Board.

The third query of what nature are the vouchers produced by the Treasurer for discharging him of the moneys received out of the Exchequer for the use of the Navy.

No payment can be allowed on the Treasurer's account without a proper voucher or receipt conformable to instructions established in 1671: but during the present Treasurer's being one of the Lords of the Admiralty, extraordinary sums have been paid by special warrant, and the extravagant expenses so made will be found to exceed any in any war since William the Conqueror.

The fourth query. When money is paid to the Treasurer at the Exchequer how is it certified?

The Treasurer is instructed to deliver to the Navy Board every Saturday an account of what moneys he has received during the week.

The fifth query. How often ought accounts to be made up by the Treasurer?

He is obliged to pass his accounts at the end of each year.

The sixth query. Can the Treasurer or his instrument take fee or reward, or place to account any money which he has not really paid?

Though by his Instructions the Treasurer is to be paid by salary and not by poundage, in all sums paid to merchants, seamen or workmen in the yards, the, odd pence, either under or above sixpence, are not paid, which in some hundred thousand sums amounts to a great sum. Also, the full wages of officers and seamen are allowed the Treasurer in his account, but a very considerable sum is deducted therefrom for the use of the Chest, Minister, Surgeons, slopsellers, dead men's clothes, tobacco, etc., for all which deductions the Treasurer expects and receives at the rate of 12d. in the pound, except in the case of the chest money for the poor of Chatham, whereof he receives but 4d. in the pound ; and as to the fourpences and twopences, where no ministers and surgeons are borne on board the ships, which by special order are appropriated for the use of the chest, for these the Treasurer receives an allowance of 12d. in the pound, though there is no establishment or order for allowing any such deductions.

———— to Robert Harley, Esq.

[1699 ?] It is reported that the provisions were bought of English merchants, but the merchants of the House, or Commissioners of the Victualling, can best resolve that; but whether it was so or no, English witnesses might certainly have been had.

I never heard of any order to the Admiral for victualling the Fleet there. It will be said there was a necessity for it. There was time enough to have prevented it, and one agent actually in the Fleet, out of whose hands the money was taken, it appears by the Privy Seal,—Steventon was his name. Why had not the Commissioners of the Victualling orders to take care of this matter at the Fleet's going away ?

The victualling was in contract from the Restoration to the 1st of January, 1683-4, and then came into commission, and has continued so ever since.

It is believed that poundage was formerly taken from Ministers and Surgeons but supposed from the 9th article of the Treasurer's Instructions and settlement of 3000*l.* a year to him, and 800*l.* per annum to his officers it ought to have ceased, as well as from the 20th Article about vending slops, but if precedent be sufficient to support it, why was the King applied to about it ?

Inclosed I send you a copy of an order of the King's (which is lately come to light) for deducting poundage from the Marines, but being for his Majesty's disposal, I do not hear it has been done, he having not as I can learn charged himself with any such poundage according to the said Order.

$1\frac{1}{4}$ *p*.

The Privy Seal for 80,000*l.* odd for victualling the fleet under his [Lord Orford's] command is without vouchers or precedent. If he was to pass that account by regular vouchers, the King would save at least 30,000*l.* Let Mr. Papillion be called to give an account of that matter as also his letter about victualling the Straits Fleet for this year under Admiral Alymore.

The foregoing seem to refer to an enquiry in Parliament touching the office of Treasurer of the Navy.

Petition of JETHRO CHAPMAN, H.M. twice laid ropemaker at Plymouth.

1699-1700. March 5.—He has found out a way of working Hemp Girts (heretofore sold as waste, for 30*s*., 40*s*., or 45*s*. a ton) into good serviceable cordage or into white oakum, worth from 20*l*. to 30*l*. a ton. His method has been approved of at Plymouth by Commissioner St. Lo, and in a year his Majesty has saved some thousand pounds. He therefore prays the Lords of the Admiralty to grant him such a recompense as their Lordships' goodness shall think fit.

March 6. Referred to the Principal Officers and Commissioners of the Navy, to give their Lordships their opinion what is fitting to be done for the petitioner.

1700. April 18. The Court at Kensington. Order in Council approving, pursuant to a vote of Parliament of April 6, an establishment of pay to officers serving at sea, and an allowance to others out of employment on shore, dated Admiralty Office, 13th April, 1700, in lieu of the Order in Council of February 22, 1693-4.

GEORGE TOLLET to ROBERT HARLEY.

1700. May 22. Encloses some particulars wherein a mathematician may be useful in the commission of the Navy. He does not mention more, as it may be good to have something in reserve.

Enclosure. Divers officers and others on board the King's ships are by direction from the Lords of the Admiralty, during the time of their service at sea, to keep journals of all matters necessarily relating to the course and motion of the ship, the state and condition of the winds and sea, and of celestial observations; so far, as they serve to correct, confirm, or direct, in matters pertaining to the ship's safe and certain conduct, pursuant to the Rules and Art of Navigation. Now the examination of these journals is, properly the work of a mathematician and if additions or alterations either general or particular relating to persons, observations, voyages, etc., may promote the useful parts of navigation, the searching out, and propounding methods serving to those ends, will also require the help of a mathematician.

In the fabrication and altering of vessels, though the skill of the naval architect is almost entirely to be relied on, yet the forms and burthens of ships; the weight of wood and other materials in and out of water, etc., may fall (to good purpose) under mathematical considerations.

The examination of books, methods, or propositions, about finding the longitude of places on the earth; and after what manner the same ought to be encouraged, prosecuted, or neglected, is altogether mathematical.

Docketed. Some particulars wherein a mathematician may be useful in a Commission of the Navy.

Commissioners of Accounts.

1701. June 17. Tuesday.—Sir Godfrey Copley, John Howe, Esquire, William Bromley, Esquire, Sir Humphrey Mackworth, Sir Bartholomew Shower, Anthony Hamond, Esquire, and Charles Davenant, Doctor of Laws.

Appended to each name is a number, apparently of attendances.

Statement of the case of the *Angel Raphael*, Haye Bunsen master. The ship is the property of Claus Meggersee of Ekernförde, in the Duchy of Holstein Schleswick, and having in March and April last made a voyage to Bordeaux was returning thence with a cargo of wine and brandy, when, in June last, she was seized by a private ship of war called the *Camber*, whereof William Thorpe was captain. On hearing the proofs of property, and being satisfied that the ship and cargo did, without any fraud or collusion, belong to subjects of the Duke of Holstein Schleswick, the Judge of the Admiralty Court ordered them to be restored. Captain Thorpe has appealed to the Lords Commissioners of Appeals. If the cause be not speedily determined the cargo will be spoiled; a great part of the wine leaked out; and ship and goods eaten up with expenses and charges. *Without date.*

[William III. ?] The case of the ship *St. Jacob* of Copenhagen, Christopher Rasmason, master. The ship was brought up about October last to Dover bound for Bilbao with wax and other things, not contraband, and was allowed to proceed by a charge from Doctors Commons which cost us about 156*l.* sterling but was detained above 2 months, which cost a deal more for men's wages and provisions.

After leaving Bilbao and returning from Bayonne with a small cargo of wine the ship was driven to Plymouth by stress of weather. When the wind proved fair and she was proceeding on her voyage the ship was taken by a privateer captain, Garfill, and brought to Dover without regard to her passes and papers and is now to plead the second time before Doctors Commons, which will cost the owners more than the ship with the cargo is worth. *Undated.*

[William III. ?] Rough list of eleven ships (probably privateers) drawn up by one of their number, with the names of the captains and particulars of their equipment. *Undated.*

Fair copy of the above.

1702, June 1. Court of St. James. Instructions for merchants and others who shall have Commissions or Letters of Marque or Commissions for private Men of War against France and Spain by virtue of the Commission granted under the Great Seal dated May 30, 1702.

Printed.

J. Burchett to the Commissioners for Victualling.

1703. April 7. Admiralty Office. Encloses a complaint from the Commissioners of Excise touching the embezzling of naval beer at Dover. They are to make strict enquiry into the matter and report to His Royal Highness.

1703. June 26, Admiralty Office.—By Prince George. Her Majesty having referred to him the petition of Captain Wolfran Cornewall, praying to have his post in the Navy or such other provision for support of himself and family as shall be thought fit, he reports that Captain Cornewall served well and honourably at sea; that he stayed on shore at his own desire on account ill health, and till now, made no application to be employed. "The flag officers have not always been made out of the very eldest officers, it having been the practice of the Crown not to tie themselves to seniority in the choice of flags." He has no objection to Captain Cornewall's "being made use of in the fleet; but as for the pension he desires, there is no precedent nor establishment in the navy" for it, and he cannot advise it. *Copy.*

12(1)1703. October 2, Kinsale.—Admiral [Lawrence] Wright to [Edward] Southwell. Nine East India ships (named) from St. Helena, under convoy of the *Kingfisher* have arrived; also 17 sail from Virginia under convoy of the *York.* 45 more ships from Virginia, under convoy of the *Falmouth*, lost company, with them in a storm. [*Extract.*]

Mr. Watts, postmaster at Kinsale, sends the same news [*Extract.*]

[1703 ?] The ship Mr. P[reistman] commanded before Sally was the *Bonadventure* at 4th Rate, and not above two or three more of the 5th and 6th Rates, but their names I can't tell you now. But Sir Cloudesley Shovell if asked can do it, who was then under his command. Most part of the time that Mr. P. was abroad, he was sick at Cadiz and Lisbon.

Killigrew succeeded him, and I think my Lord Berkley followed Killigrew, so that the peace with Sally could not be made in Mr. P. time, or certainly the other two had not been sent after him upon that Station.

I believe it may be ventured to be said, that not at any time before this reign, any Commander-in-Chief was paid more than the Rate of the ship he served in, unless he were a Flag; and the establishment lately mentioned, was dated the 16 May, 1675 (but I can't find my copy of it at present) which only declares that such Commanders as shall not have won a flag, but have commanded 12 ships besides Fireships and Tenders be entitled to a Rear Admiral's pension while out of employment ashore, which is £150 per annum; and I take it is the case of Rooth and Robinson lately spoke of, not that they had 10*s.*

a day extraordinary above the pay of their ships, while they were at sea as Mr. P. had ; so that assertion is positively false.

Docketed with notes in Harley's handwriting relating apparently to business of the House of Commons, in which this paragraph appears "Commissioners of the Navy to bring in copy of the order for increase of salary to Mr. Preistman while he commanded the ships cruising off of Sally in 1684."

Captain Price.

Abstract of his journal of the voyage of his ship the *Centurion* from 8 May to 22 December 1698, with rough memoranda in Harley's handwriting on the back that Matthew Aylmer admiral of the King's ships at Cadiz detained the *Centurion* there contrary to the King's order. How was the third of the poundage deducted, etc. ?

[1703 ?] Note of ships destroyed by Sir John Leake. One of 30 guns at Fungerol burnt. At Gibraltar, One of 30, one of 26, and one of 20 guns, burnt. At Gibraltar, Forced on shore and burnt, one of 90 guns, one of 80, one of 70, and one of 64 guns.

Commissioners of the Navy to J. Burchett.

1703-4. January 20, Navy Office.—With reference to his letter of 18th instant, touching the importation of masts from Sweden, it is a general liberty to the English merchants to import all sorts of masts from thence, great and small. We have considered what masts may be necessary to be imported for the Navy from Sweden over and above what can be had from New England and Norway, and send an account thereof on the other side.

Overleaf.

The account referred to above of masts to be supplied to Deptford, Chatham, Portsmouth, and Plymouth, totalling 400 masts.

J. Burchett to [Richard] Warre.

1704. July 25, Admiralty Office.—Mr. Jackson, at Stockholm, has provided masts for the Navy and I am thereupon to desire you will move Mr. Secretary Harley to write to him to send them hither in proper shipping and draw bills of exchange on the Navy Board for the same. It is hoped the masts are of the sizes mentioned in a letter from the Navy Board dated 20 January last.

The Case of Mr. Ashe, Controller of the Port of Plymouth and Members.

His predecessor Mr. Faul agreed with his deputies of the outports that they should have half the fees and he the other half. Ashe continued this agreement with all his deputies with which they were all extremely well satisfied. On Saturday last the Commissioners of the Customs read him an old order, never put in execution but now revived (they said), that the controllers should allow their deputies 20*l.* a year, or whole fees, nearly one half the profits of his employment; the whole this war not amounting to above 120*l.* a year. *Undated.*

Endorsed by Harley. Received May 23, 1704.

J. Burchett to Robert Harley.

1704. June 3, Admiralty Office.—The Council to His Royal Highness did some days since receive a letter from you and with it, one from the Lord Raby touching our navy's being supplied with pitch and tar from Russia. The Navy Board have been discoursed upon this matter and a letter being received from them this morning thereupon with a paper containing the prices which have been given some years since, I do, by command of His Royal Highness, send you herewith copies both of one and the other.

Docketed. From Mr. Burchet, Secretary to H.R.H. Council.

J. Burchett to Mr. Clarke at Windsor.

1704, June 17, Admiralty Office.—Encloses a letter from Mr. Secretary Harley signifying the Queen's pleasure that a convoy be appointed to see the ship to Scotland, which has the Marquis of Tweeddale's goods on board. The Council to the Prince wish him to be acquainted that there is no ship that can be spared particularly for this service; and considering the clamour that has frequently attended the Newcastle convoy, they cannot advise His Royal Highness to divert one from it, without the Queen's particular order.

J. Burchett to Robert Harley.

1704, July 25, Admiralty Office.—Rear Admiral Whetstone being gone northward in pursuit of the French ships which are got out of Dunkirk, I am to desire that you will be very earnest with the Pensioner of Holland, that the squadron of the States General's ships commanded by Rear Admiral de Boor may cruize between the Maes and the North Foreland to protect the trade of England and Holland from the insults of the enemy.

1704, August 17, Court at St. James. Order in Council.—The Swedish man of war which, for refusing to strike her flag, was brought—with her convoy—into the river by Rear Admiral Whetstone, is to be released, as well as her convoy. The Lord High Admiral is to give the necessary directions.

1704, August 17, St. James.—Order in Council. The Commissioners of sick and wounded seamen and exchange of prisoners of war are to make strict enquiry into the number and quality of the prisoners taken in *La Seine* prize, and lay the account before her Majesty in Council. In case they receive any papers relating to the French Settlement in Canada from the said prisoners, they are to transmit the same to the Lords Commissioners of Trade and Plantations.

J. BURCHETT to the Secretaries to Secretary HARLEY.

1704, September 21st, Admiralty Office.—I desire you will acquaint Mr. Secretary Harley that Jasper Erickson, a subject of the King of Sweden, on board the *Newcastle* cannot now be discharged, the *Newcastle* being gone to sea in the squadron under Rear Admiral Whetstone.

Docketed. Sent an extract to Mr. Leyoncrona.

1704-5, January 8th.—Minutes of a courtmartial held on board H.M.S. *Tilbury*, at Deptford, to enquire into the reason of the following ships retiring out of the line of battle in the time of the late engagement with the French fleet on August 13th last, off Cape Malaga in the Straits, viz.—*Eagle*, Lord Archibald Hamilton, commander; *Nassau*, Captain Francis Dove; *Mountagu*, Captain William Cleaveland; *Kingston*, Captain Edward Acton; and *Grafton*, then commanded by Lieutenant Peter Saul, after her captain [Sir Andrew Leake] was killed. The court acquits the captains and officers of the several ships "as to this charge."

[*Copy. The original is in the Public Record Office, Courts Martial, No.* 13.]

J. BURCHETT to Secretary HARLEY.

[1705, January.]—In answer to your letter of December 31st last, touching the *St. Jacob* of Stockholm, I am commanded by the prince to send you the enclosed copies of letters between the late Rear Admiral Beaumont and myself in relation to Swedish ships laden with pitch and tar, bound to France, and brought into port by the ships of his squadron. I am not able to determine whether the ship you name was one of these.

[*Enclosure.*] J. Burchett to Rear Admiral [Basil] Beaumont.

1703, October 19th, Admiralty Office.—Several ships, as under mentioned, are bound from Stockholm to France with pitch and tar. His Royal Highness desires that you will order the captains of ships under your command to look out for them, seize them, and bring them into port.

Ships loaded to France with pitch and tar.

Anna, John Albrecht, master, bound to Brest.
Fortune, Corn. Poulson, master, to Rouen.
St. John, John Foss, master, to Bordeaux.

Sent to Rear Admiral Beaumont in a letter of Nov. 10th, 1703.

Nassau, Jac. Peterson Born, master, to Rochelle.
King David, Hendrick Henderson, master, to Bordeaux.

Rear Admiral Beaumont to Burchett.

1703, October 31st, in the Downs.—Yesterday the *Mary* galley brought in two Swedes laden with pitch and tar, bound for France. One is the *Anna*: the other under the same circumstances.
[*Extract.*]

Burchett to Rear Admiral Beaumont.

1703, November 1st.—The two ships brought in by the *Mary* galley are to be sent to Portsmouth with the first convoy.
[*Extract.*]

Rear Admiral Beaumont to Burchett.

1703, November 12th, in the Downs.—Last night came an order from the commissioners of prizes to send these two ships to the port of London. Unless I have orders to the contrary, I shall insist on their going to Portsmouth. [*Extract.*]

Burchett to Rear Admiral Beaumont.

1703, November 13th.—It is the pleasure of his Royal Highness that you comply with his former order and send the Swedish ships to Portsmouth, notwithstanding the orders you mention from the Prize Court. [*Extract.*]

1704-5, March 7th.—Draft of a DECLARATION about DUTCH SHIPS, in Harley's writing. Dutch ships which have been brought in as prizes for trading with France, having passes from the States General to do so, are to be released: and instructions are to be given to all ships of war and privateers that they are not to molest the ships of either nation, which are furnished with proper passes and are not carrying goods "settled to be contraband."

J. BURCHETT to Secretary HARLEY.

1705, April 17th, Admiralty Office.—Mr. Thomas Stiles, a merchant, offers to import a thousand lasts of tar yearly from St. Petersburg, as cheap as, or cheaper, than from Stockholm, if he can have a convoy to secure his ships from the Swedes. I am to desire you will lay the enclosed copy of Mr. Stiles' letter before her Majesty.

[*Enclosure.* The letter of Mr. Thomas Stiles, dated April 14th, 1705.]

J. BURCHETT to Mr. Secretary HEDGES.

1705, April 17th, Admiralty Office.—He is commanded by the prince to send copies of letters from the Navy Board and Mr. Taylor, with whom they have agreed for a supply of masts from Riga, and to desire him to lay them before the Queen for her directions thereupon.
[*Enclosures.*]

The COMMISSIONERS of the NAVY to the PRINCE'S SECRETARIES.

1705, April 13th, Navy Office.—They enclose a letter from Mr. Taylor, a merchant, with whom they have made an agreement for importing about ten loads of Riga and Gottenburg masts for her Majesty's yards. They desire that the letter be laid before his Royal Highness, and that if any assistance can be given him, it may be, as the magazines are very much exhausted of those sorts of masts, they are exceedingly wanted and no where else to be had.

[*Enclosure.*].

Mr. JOHN TAYLOR of Byfrons to the COMMISSIONERS of the NAVY.

1705, April 12th.—There are no ships in England fit for the service of bringing masts from the Baltic. He has the expectation of being able to hire some Swedish ships. Thinks that, in order to secure the masts at Riga, it will be necessary to have letters from the Queen or one of the Secretaries of State to the King of Sweden, the Tsar of Muscovy, the Governor of Riga and the General of the Muscovite army in Livonia to the following effect:—

> "That whereas a pass was last winter granted by her Majesty to several persons as servants to Messrs. Dodd & Crisp, English merchants at Riga, to go into woods in those parts, to procure masts and bowsprits, etc., which are for her Majesty's service, it is desired that all such masts, bowsprits and rafters for oars which have been procured for Messrs. Dodd & Crisp may, without molestation, be brought to Riga, and there be permitted to lie until the said merchants shall have ships to carry them off; that they then be suffered to go aboard, and the ships have freedom and liberty to bring them away."

He wishes to send letters to this purpose by post, as soon as may be, and duplicates of them by the ships. Begs to know at which of the Secretary's offices he is to expect them; the passes came from Mr. Secretary Hedges.

J. BURCHETT to Mr. Secretary HEDGES.

1705, April 23rd, Admiralty Office.—By the Prince's command he encloses an extract from another letter he has just now had from Mr. Taylor on the same subjects (*not here*).

J[OSIAH] BURCHETT to Mr. Secretary HARLEY.

1705, July 20th, Admiralty Office.—The owners of the ship *Hawke* were here this morning and desired that the stop on her may be taken off. Not knowing what information you have relating to her, the Prince's Council are not able to advise. The owners say that she is bound to Cork first, to take in some of her company and provisions; and then to Newfoundland where they take in fish, and cruise by virtue of their letters of marque ; that they sell great part of the provisions they carry there. They have already given the usual security at Doctors Commons on receipt of the letter of marque, but it is submitted whether it may not be necessary to give further security.

J. Burchett to Mr. Secretary Harley.

1705, July 26th, Admiralty Office.—David FitzGerald, who was supercargo of the *Swallow* of Glasgow is to be examined, by order of the High Court of Admiralty, and the Proctor for the claimer has promised to bring him to Doctors' Commons to-morrow. I give you this notice that, if you think fit, you may have him brought before you, to make a further discovery of what he knows relating to the transports with arms and ammunition designed from Le Hougee to Scotland.

I send you a copy of the Instructions which will be despatched to the Admirals of the Fleet for leaving a squadron of ships at Lisbon when they return to England.

George Tollet to Secretary Harley.

1705, July 27th, Navy Office.—Enclosing copy (*not here*) of a letter from Captain King who has been pretty particular and, I believe, very faithful. Mr. Lyddell and I intend to try our fortunes for attending you to-morrow and wishing your health and welfare.

J[osiah] Burchett to Mr. Secretary Harley.

1705, August 9th, Admiralty Office.—I send a draft of Instructions for the commodore of the two ships designed from Ireland to Newfoundland. Please to return it with answers to the several queries in it not provided for in Major Lloyd's proposals.

The Same to the Same.

1705, August 7th, Admiralty Office.—The letter from the Lords Commissioners for Trade and Plantations concerning the Pensylvania Company and the papers annexed thereto, desiring that some pitch and tar imported from those parts might be bought for the use of the navy, which you forwarded to me on the 20th ult., were sent to the commissioners of the navy. I now enclose a copy of their opinion, and am to add that the Prince, as Lord High Admiral, cannot empower the Navy Board to give greater prices for pitch and tar than the like are offered them at by others.

The Same to the Same.

1705, August 17th, Admiralty Office.—Sends by command of the prince a copy of a letter from the Navy Board (*not here*) relating to the Tar trade from Muscovy.

J[OSIAH] BURCHETT to the Secretaries of Mr. Secretary HARLEY.

1705, October 5th, Admiralty Office.—He sends the examination (*not here*) of three Irish soldiers who were brought from Hamburg by the *Warwick*, and are now prisoners on board her at the Nore. The men will be kept on board till further orders; but the ship will sail for Hamburg on the 14th.

1705, October 22nd.—An estimate of the debt of her Majesty's navy as it stood on September 30th, 1705; Net Total—£2,641,037 17*s*. 1*d*.

J[OSIAH] BURCHETT to Captain GUY, commander of the *Mary* Yacht, or to the Master of her.

1705, November 9th, Admiralty Office.—By the prince's directions you are to receive on board Francesco de Martino and Francesco Evangelista, two Neapolitan gentlemen, and carry them to Holland, allowing them fitting accommodation and victuals as the yacht's company.

J[OSIAH] BURCHETT to Secretary HARLEY.

1705, November 19th, Admiralty Office.—Encloses a report from the Commissioner of the Navy at Plymouth and two of the elder brethren of the Trinity House recommending Whithsand Bay for a harbour and Por'-de-nae Point for a lighthouse; with an estimate of the cost.

[1704-5.] Copy of the 11th and 12th Articles of the Treaty with Sweden, concluded in 1661. With the form of the Passport or "Passe." *Printed.*

The form of the Oaths and Passe required by the Convention with Denmark. *Printed.*

Detention of SEAMEN'S WAGES.

[1705 ?] Mr. Harley. "I will make bold to acquaint you of the very hard and unfortunate circumstances of many thousand poor seamen who are postponed and their pay kept back when the far greater part of their brethren that did the same service are long since paid, and these unhappy men not appearing at the place and time of pay, are for that only reason postponed, though perhaps it was impossible for them by reason of sickness or absence out of the kingdom or for many other causes to appear. The custom of the navy is this, to pay ships at Plymouth, Portsmouth, Chatham, Sheerness, etc., all that attend are paid those that do not attend are put on the list of recalls (as the term is) these ships when there is spare money are recalled at London and paid in course, now reason and justice would, that money should be reserved for such persons as do not or cannot appear and that the ships should be presently after such there being paid, recalled and paid in London, but instead of that, the money due to these unfortunate people hath been detained and made use of on pretence of the public service to discharge ships out of pay that lay at charges, enclosed you have two lists of ships, one paid in part, the other not or only some few officers, you will see by the beginning and ending wages how long the money hath been due, there is at least two hundred thousand pounds due to poor men and their families on these two lists and the wages of the hireling calls aloud for pay. As to this enclosed larger list viz. that with three columns I think it was paid as to the common seamen in the latter end of 1698, as far as the ship *Sovereign,* in the second column marked with a hand, in the beginning of 1699 all commission and warrant officers and their servants were paid on the whole larger list and the Commissioners of the Navy began the other list here enclosed but proceeded but a little way, their coal tallies which was the payment they made being all issued, since which no payment upon these lists hath been made till after the meeting of this Parliament the Commissioners began to pay again on the first list, beginning with the *Sovereign* marked with the hand and ended at the *Eagle* in the same column, so at present there is a full stop put to that sort of payment: to make this matter yet plainer I will give you one instance, a person was shipped on board one of the King's ships in 1694 in the end of 1695 was discharged in the Streights by reason of sickness came sick home on a merchant ship; in 1696 comes home the ship this man served, and was paid from the middle of 1694 to Michaelmas or thereabouts 1696. This man formerly discharged was then in London, but the ship being paid at the Buoy of the Nore or thereabouts it happened this man could not go thither himself and knew not who to send so missed his pay and is not paid yet. This is the plain case of all their poor people and if you please to use your interest to help them it will be an act of great charity and justice. Surely the money due to these people ought not to be detained to ease the public. I have no interest in this matter and am of opinion that gentlemen in the House of Commons are not apprised of the hard case of these poor people."

Add. For Robert Harley M.P. to be left with the Doorkeeper in the Lobby of the House of Commons.

J. BURCHETT to Mr. Secretary HARLEY.

1706, March 30th, Admiralty Office.—Your letter is received with the enclosed paper in relation to the junction of our's and the Dutch men of war for looking after the Dunkirk squadron. It is thought necessary to defer the discoursing the envoy extraordinary from the States General on this matter until Sir David Mitchell comes to town, which will be about the latter end of next week and care will be taken to give envoy timely notice. (*Signed*) J. B.

Docketed by Harley. Conference with Monsieur Bayl.

Petition of JAMES BAYLY to the QUEEN.

1706.—The petitioner has followed the sea for thirty-six years; in 1673-4 was mate and gunner of the *Mary* yacht; has commanded sundry merchant ships; has been a great owner of many others and a great promoter of navigation. With two frigates he can take and destroy great part of the French West India merchant ships, and prays her Majesty to refer him to the favour of the Lord High Admiral that he may be employed in the command of one of the two frigates as proposed.

1706, April 24th, Whitehall.—Referred to the Lord High Admiral's Council.

Report of the Lord High Admiral.

1706, May 4th, Admiralty Office.—If, when frigates can be spared for such service, the petitioner will go on board one of them and give his assistance to the officer in command, in any service against the enemy, on producing a certificate that he contributed to it by his advice and assistance, he may be rewarded in such manner as her Majesty shall think fit. But, the Lord High Admiral cannot advise the giving him the command of a ship in the navy, as he has never borne command therein and consequently is not regularly qualified for the same.

Order by the Queen in Council.

That two frigates should be sent to cruise where the Petitioner proposed and that he should go in one of them; and should apply to the Lord High Admiral to be encouraged.

James Bayly to the Lord High Admiral's Council.

He hopes the command of one of those frigates for six months will not be looked on as breaking through the rules of the navy. He does not desire that he should have any claim to another command, by virtue of his having been in commission in this expedition; nor any benefit for his family in case he should be killed or drowned; neither does he desire any pay unless he succeeds. But if he goes on board without the command of a ship, he hopes he may be appointed a captain's share of what prizes shall be taken by his assistance.

Answer of the Lord High Admiral's Council.

They did not know when or whether they should send any ships that way, nor should they give him any other encouragement than what they gave in their report to her Majesty.

Petition of James Bayly.

Rehearses all that has gone before and prays that her Majesty will grant him the command of one of the two frigates, or that he may be allowed the perquisites of a captain, or that he may be permitted to go into the service of some prince or state in alliance with her Majesty.

Copies in the same hand and on the same sheet of paper.

J. BURCHETT to Secretary HARLEY.

1706, May 14th, Admiralty Office.—Your letter of the 10th instant with the enclosed extract of the Register of the

Resolutions of the States General have been communicated to the Prince and he commands me to send you the enclosed [*not here*] extract of a letter from Captain Hanway of the *Tilbury* in answer to that part of the resolutions which relates to the taking of a Hamburger from on board a Dutch "scoot."

J. BURCHETT to the Secretaries of Secretary HARLEY.

1706, May 14th, Admiralty Office.—His Royal Highness having received a petition from the Justices of the Peace for the county of Cornwall, whereby they represent the great inconvenience they labour under from the Dutch privateers putting their French prisoners on shore in those parts, I am commanded by the Prince to send you a copy of the petition and to desire that you will lay it before Mr. Secretary Harley in order to his moving Her Majesty for such directions as may prevent the Dutch privateers from putting their prisoners on shore in Her Majesty's dominions for the future or suffering them to go on shore and ramble about the country.

J. BURCHETT to RICHARD WARRE, secretary to Mr. Secretary HARLEY.

1706, May 16th, Thursday Morning, Admiralty Office.—I desire you will acquaint Mr. Secretary Harley in answer to your letter just received, that I know of no captain of a man-of-war or in the marines, whose name is 'Norton' or 'Warton.' The name of the captain of the *Canterbury* is Walton, and she is gone to the Mediterranean. As for the marines, they are under the inspection of Mr. St. John, who will be better able to inform you than I can.

[1706, May.] The ship *Hope*, Thomas Schwenson master, belonging to Stade, within the *avocatoria* of the Roman Empire, but subject to the King of Sweden, after lying at Dunkirk for nearly twelve months sailed thence, in ballast, in October 1705, for Bordeaux. There she was laden with wine, chesnuts and other goods by subjects of France, to be delivered, at Stade, to Henry Pragman, an Inhabitant and burger there, the pretended owner of the ship and cargo. It appears by the depositions that the ship formerly belonged to Holsteiners or Danes living at Altona, which is also within the *avocatoria* of the Empire, but the ship was seized or stopped at Dunkirk where, after having made a voyage from France to Holland, and so back again to Dunkirk during this war, she is pretended, as she lay at Dunkirk, to be sold by the Altona owner to the present claimers, who live at Stade; but no money is paid for the same, and neither seller nor buyer so much as saw or have had her in possession. Her bill of lading, passes, and papers, shew her to be a Stade ship, bound thither and there to unlade; which port being under the *avocatoria* of the Empire made the ship and lading good prize to the captor; and they were condemned accordingly in the High Court of Admiralty. So, by Articles 3 and 4 of the Instructions to privateers, the privateer has done nothing but his duty in this seizure. By order of the Swedish Envoy the case was brought before the Lords of Appeal, who, on April 30th, restored the ship, but suspended their judgment as to the cargo, the case for which is to be heard on Monday, the 20th inst.

Note, it has been the constant practice of the Court of Admiralty and Court of Appeals, all this and the last war, to condemn as good prizes all ships and goods belonging to any Swedish or Danish town lying in the *avocatoria* of the Empire, which have come laden from France bound thither; and particularly those of Stade; and moreover, any ship belonging to Sweden or Denmark, though without the *avocatoria*, yet, if bound with their lading to Stade, such goods or lading have been condemned as good prize; and if the ship was restored, yet no freight was allowed them, though they have often appealed for it. It is hoped that the Lords will confirm the sentence passed in the Commons on the cargo. It is to be heard on Monday the 20th instant May.

JOHN FAWLER to [ERASMUS] LEWIS.

1706, June 1st, Admiralty Office.—In Mr. Burchett's absence I am commanded to send you for Mr. Secretary Harley, with reference to his letter of May 10, the enclosed letter from Captain Carter of the *Drake* sloop touching the Dutch seamen he prest. The other part of Mr. Secretary's letter was answered in Mr. Burchett's letter of the 14th.

[*Enclosure.*] Extracts from a letter of Captain CHARLES CARTER.

1706, May 3rd, Sloop *Drake* at the Nore.—In obedience to an order from His Royal Highness of May 2 and the enclosed *Memorandum* from the States General, I have enclosed a particular account of the pressing of some Dutch seamen. The ill usage complained of is that he hindered them from running away.

J. BURCHETT to Secretary HARLEY.

1706, June 15th, Windsor.—His Royal Highness has signed orders to Sir Stafford Fairborne, and to Sir Thomas Hardy who is ordered to cruise with a squadron in the Soundings, not to molest ships or vessels of Bruges but to give them all possible countenance and assistance upon meeting them; and the same orders will be given to all H.M. ships in whose way there may be a probability of their falling.

[*Enclosure.* Copy of an order of His said Royal Highness to Sir Stafford Fairborn, knt., Vice-Admiral of the Red Squadron of H.M. Fleet off of Ostend. Whereas there are a considerable quantity of arms to be transported from Flushing to England for Her Majesty's service, you are to give orders to the captains of H.M.S. the *Centurion*, *Milford*, and *Nightingale*, to make the best of their way to Flushing and make all possible despatch in bringing the said arms to Spithead. You are to direct the captains of the *Milford* and *Nightingale* to remain at Spithead till further order, and the captain of the *Centurion* to receive and bring thither from Flushing such goods as be brought to him for the use of the Earl of Rivers to be disposed of according to such orders as shall be lodged at Spithead or the Earl shall desire, and then make the best of his way into Portsmouth harbour to clean and tallow, and out to Spithead so soon as this be done, until further orders. Given at Windsor this 16th day of June, 1706.]

[*Harley's Docket* Received from Mr. Burchet, Sunday night, June 16, 1706.]

JOHN FAWLER to the Secretaries of Secretary HARLEY.

1706, June 19th, Admiralty Office.—Upon a letter from Mr. Secretary Harley of the 24th past the Commissioners of the Navy were directed to make an experiment of some Prussian pitch and tar, and in the absence of the Secretary, I am commanded to send you copy of their letter giving their opinion thereof which you will please lay before Mr. Secretary; and the Secretary having by letter of this day desired early advice when any ship is despatched to Sir Stafford Fairborne I pray you will acquaint him that we send letters by almost every post to Mr. Warren, muster master at Deal to send to Sir Stafford by the first ship bound to him.

JOHN FAWLER to [ERASMUS] LEWIS.

1706, June 21st, Admiralty Office.—I pray you will acquaint Mr. Secretary Harley that to-morrow orders will be sent to a man of war in the Downs to join Sir Stafford Fairborne off Ostend.

J. BURCHETT to Secretary HARLEY.

1706, June 28th, Admiralty Office.—In case you have any letter to send to the Duke of Marlborough, I will forward it to-night to the captain of the *Squirrel* who is ordered off Ostend.

JOHN FAWLER to ERASMUS LEWIS, Esq^{e}., Secretary to Mr. Secretary HARLEY.

1706, October 10th, Admiralty Office.—I am to desire you will acquaint Mr. Secretary Harley, in answer to his letter of the 7th inst., to the Prince's Council, that the Prince has ordered Sir Clowdisley Shovell, when he sends a convoy home with the English transports, to order it to take care of the Dutch transports to England.

1706, October 30th, Navy Office.—Estimate of the debt of the Navy to 30 September, 1706. Net total 3,211,937*l.* 2*s.* 11*d.*
[*Calendar of Treasury Papers, vol. xcix., No.* 125.]

J. Burchett to Secretary Harley.

1706, December 15th, Admiralty Office.—The *Poole* is ordered into Portsmouth Harbour to be docked and refitted. If Her Majesty has despatches to send to The Straits, the *Charles* galley is clean and ready to sail, being now under orders to come from Plymouth to Spithead.

J. Burchett to Secretary Harley.

1706-7, January 22nd, Admiralty Office.—In answer to your letter of yesterday concerning Thomas Kelby, a prisoner in Maidstone Gaol, I am commanded to acquaint you that the Prince has ordered the captain of the *Expedition* at Chatham to send an officer to Maidstone for him: and desires you to send the necessary orders to the Sheriff to cause him to be delivered to the officer to serve her Majesty at sea.

J. Burchett to Secretary Harley.

1707, April 18th, Admiralty Office.—His Royal Highness has considered your letter of the 16th inst, enclosing intelligence of the enemy's privateers and other ships which are hovering about the western ports, and has commanded me to acquaint you that orders will be sent this day, by express, to the *Nassau* and *Reserve*, now at Spithead, to take the *Ruby* and *Feversham* from Dartmouth, and join the *Poole* and *Advice* prize (as also the *Shoreham*, if ready) off Plymouth, and cruize between Plymouth and the Land's End as long as the winds are easterly, and with the first westerly winds to come to Plymouth and join Captain Wylde of the *Royal Oak*, who is also ordered to come with the Topsham trade (and the tin ships if they timely arrive) to the Downs with the *Royal Oak*, *Chester*, *Ruby*, *Feversham and Advice* prize, and to order the *Nassau*, *Reserve*, *Poole* and *Shoreham* to cruize between the Lizard and Portland, till further orders. This is all that is possible to be done with the few ships within reach, without taking others off from services absolutely necessary.

[*Cf. Charnock*, *Biographia Navalis*, ii. 115-118.]

J. Burchett to the Secretaries to Mr. Secretary Harley.

1707, April 23rd, Admiralty Office.—I desire you will acquaint Mr. Secretary Harley that the Captain of the *Henrietta* yacht is ordered to carry Sir Philip Meadows and his family to Holland so that the Bishop of Salisbury's lady will wait the next opportunity.

1707, April 29th, by the Queen.—A proclamation containing her Majesty's declaration That it is expedient That the Lords of Parliament of England and Commons of the present Parliament of England should be the members of the respective Houses of the first Parliament of Great Britain, for and on the part of England. [*Printed.*]

J. Burchett to Mr. Secretary Harley.

1707, May 15th, Admiralty Office.—Encloses a protection for one month, for Robert Strong, an evidence for Her Majesty.

1706-7.—*Memorandum* of three letters dated December 20, January 29, May 19, addressed to the Earl of Sunderland, containing representations and memorials respecting convoys to the Plantations.

J. Burchett to Secretary Harley.

1707, May 27th, Admiralty Office.—I have received your letter about 4 o'clock this afternoon relating to the ship which is to bring to England the ambassador from the King of Portugal to the Emperor. The *Ipswich* which is appointed to receive him is particularly left at Lisbon to join two other ships that lately sailed from Ireland and to convoy home the trade. This trade will be very considerable, and should the *Ipswich* come home singly with the ambassador the merchant ships may be exposed to the enemy, nor is there any prospect of adding a third ship in her room to the other two. Wherefore, if it be Her Majesty's pleasure to gratify the Envoy of Portugal in this request, it will be necessary that her commands be signified. But if you will send the order forward to the captain of the *Ipswich*, as it is, I will upon receipt of your commands return it to you.

J. Burchett to Mr. Lewis.

1707, May 28th, Admiralty Office.—Your letter of yesterday has been laid before the Prince. As I did yesterday acquaint Mr. Secretary Harley why the *Ipswich* cannot be ordered to come singly for England, so am I now commanded to let you know that should such a conditional order be lodged in the hands of Mr. Methuen and the Court of Portugal insist upon its being complied with it would take away a very great part of the strength of the convoy and entirely frustrate the orders already given. But the ambassador may be brought to England by one of the ships which will suddenly go from here to Lisbon with the victuallers, transports, and trade.

J. Burchett to Secretary Harley.

1707, July 21st.—I send you herewith a *memorandum* [*not here*] for Her Majesty in Council relating to the ensign to be worn as well by the Queen's ships as the merchants; as also the standard.

1707, August 13th, Windsor.—The prince having received a letter this morning relating to horses intended for France, I am commanded to send the same to you that such care may be taken therein as you shall judge proper.

John Fawler to the Secretaries of Secretary **Harley.**

1707, September 3rd, Admiralty House.—Mr. Harley having with his letter of yesterday's date to the Prince's Council sent a copy of one which he received from the Envoy of Sweden concerning the seizure of the ship *Victory* of Gothenburgh by H.M.S. *Sun* prize and signified Her Majesty's pleasure that she be discharged, if His Royal Highness has no objection, I am commanded, in the absence of the Secretary, to acquaint you for the information of Secretary Harley that his Highness has no objection only that she has masts aboard for the enemy and he desires to know whether the ship will be permitted to go to France with these masts.

John Brewer to Secretary **Harley.**

1707, October 29th.—Desires advice on the case enclosed. [*Enclosure missing.*]

1707, November 14th.—An abstract of the ships of the Royal Navy that were taken by the enemy, cast away at sea, and other diminutions within the last reign.

1707, November 16th.—Statement of the number of ships of the Royal Navy in the several rates, on May 4th, 1702 ; of the numbers since added or diminished, and the numbers remaining on November 14th, 1707.

1707, November 17th.—A list of French ships taken by the English and added to the navy of England ; together with a list of the English ships taken by the French. As also an account of what were destroyed by either, and the time when, since the commencement of the war [May 4th, 1702.]

Number of French ships of 50 guns and upwards taken by the English, 9 ; destroyed 12, not counting those destroyed at Toulon in August last, " it being wrote from the fleet that the French sunk 20 of their ships, 10 of them reckoned to be three-deck ships, and much questioned whether they could be raised and made fit for service again."

Number of English ships of 50 guns and upwards, taken by the French, 9 ; destroyed, 2.

Number of guns taken by the English, 1066 ; taken by the French, 976.

[*Cf.* House of Commons Journals, November 18th, 1707.]

1707, November.—Abstract of the number of ships belonging to her Majesty's Royal Navy on May 4th, 1702, with the number of men and guns. Also, of the number of ships and vessels built and added to the Navy since that date, and of the ships and vessels lost. Also, of the number of ships in the Navy on November 14th, 1707, with the number of men and guns.

" *Note.*—The enemy's ships destroyed at Vigo, the sea-fight in the Mediterranean, by Sir John Leake at Gibraltar, at Toulon, what they ran on shore and burnt themselves, etc., may be had from the Admiralty.

" *Note.*—The first list is made after a peace of four years; the last after a long war and great losses by the hand of God."

J. BURCHETT to the Secretaries of Mr. Secretary HARLEY.

1707, December 8th, Admiralty Office.—The Prince having considered the application, made by the Danish Envoy, for satisfaction for the damage done to a Danish ship by her Majesty's ship *Exeter* running on board her at St. Helen's. I am to acquaint Mr. Secretary that when the master of the Danish ship perceived the *Exeter* near her he should have veered or slipped his cable, and this hath been always usual in such cases, nor hath it been customary to demand, or at least not to make, any recompence for damages received in this manner.

Memorandum that the Russian fleet arrived at Harwich from the Nore on May 30th ; finally sailed from Shields on June 15th, and was met by the French on July 11th.

[Appears to refer to the capture of the Russian trade in 1707, for which complaint was made against Rear Admiral Whetstone.]

The Petition of DANIEL JENKS to the Queen.

Shrewsbury.—In accordance with directions from the Commissioners of the Navy, he brought to Hung Road a quantity of timber, to the value of upwards of 1,200*l.*, to be shipped on board her Majesty's store ships ; but before any of the ships arrived, on the night of the 27th November, 1703, there arose a most dreadful storm which raised the water so high that it carried away so much of the timber as amounted to the value of 1,000*l.* and upwards. By the loss of the said timber the petitioner is utterly ruined and forced to abscond and leave his wife and family. Prays for relief. [1707.]

[*See* Vol. viii., *p*, 286.]

J. BURCHETT to Secretary HARLEY.

1707-8, January 28th. Admiralty Office.—I am to acquaint you that the Prince and his Council have considered of your letter of the 26th instant and the extract of that to you from Mr. Cadogan, H.M. Envoy Extraordinary at the Hague, relative to the blocking up of Dunkirk. This was always an instruction to Sir David Mitchell when sent to negotiate marine affairs with the States General. If the States General will add seven of their ships to our twelve designed for that service it ought to be a very great advantage not only in blocking up the port but in following the enemy's ships should they get out and preventing attempts on our trade.

George Tollet to Robert Harley, Brampton Castle, nr. Leominster.

1708, May 18th, Navy Office.—This morning Mr. Carkesse acquainted me that Sir B. S. has again proposed your honour to the Commissioners of Customs for one of his sureties and not knowing whether it was with your privity and consent I thought proper to give you this notice thereof.

P.S.—The enclosed [*not here*] came directed to myself.

James Clarke to Robert Harley.

[1708 ?] If for any reason it be not thought convenient to grant his request to be joined with the three Commissioners of the Transport Board, he prays that, in case of any changes, he may be appointed one of the Victualling Board, though well assured that in the Transport Board he can be very useful to the public.

Docketed Memorandum relating to Captain James Clarke.

[1708]. Simon Clement. Memorial to the Queen offering to open a trade with an unfrequented port from which pitch and tar may probably be imported upon much better terms than of late and utterly disappoint the monopoly of the Swede, if Her Majesty would advance him 500*l.*

[*See Calendar of Treasury Papers,* 1708-14, *vols. cvij., No.* 40, *and cxix. No.* 22.]

[1709 ?] Considerations addressed to Secretary Harley on the meaning of the disqualification of Commissioners or Receivers of Prizes for Members of Parliament, as enacted by 4 and 5 Anne. *Seal.*

Docketed. The case of the Commissioners of Prizes.

[*Cf. Parliamentary History iv.*, 289, 957-8.]

Jean le Lacheur to Prince George.

[1708 ?] Has discovered a method by which anyone, without leaving the cabin, can immediately tell if the ship springs a leak; what depth of water she has taken in, and at what rate the pumps are reducing it. He believes that his discovery will be of great use to her Majesty's ships and to those of the merchants. *French.*

Thomas Colby.

He has served the Crown upwards of twenty-five years (seven at sea in H.M. Ships, and the remainder as a clerk to the Controller of the Navy) at the Navy Office and was recommended by the Commissioners of the Navy to the late Lord High

Admiral by letter of November 2nd, 1709, as qualified for any clerkship in the Dockyards, and by the Commissioners of the Victualling, by letter of February 6th, 1709-10, for an agency at the out ports, which employment he now humbly begs for.

Docketed. From Sir Amb. Crowley.

JAMES PUCKLE to ROBERT HARLEY.

1710, October 17th.—Since at Windsor, I have made it my business to inquire into the reason of the great discount upon navy and victualling bills. When your honour hath half an hour's leisure [I] can shew the cause and how not only to discover all persons concerned but to put an effectual stop to that growing evil.

[1710 ?] Reasons for charging the late ministry with leaving the Navy debt upon the nation. *Anonymous and without date.*

WILLIAM MELLICHAMP to ROBERT HARLEY.

Has been clerk to Commissioner St. Lo for about two years. Has been at sea formerly and is now on board the *Barfleur* as clerk to that ship, in order to the better fitting himself for a purser's employ. Prays Harley to have him entered as purser in what ship soever he thinks fit.

Undated. Before 1711.

[CHARLES SERGISON ?] to ROBERT HARLEY.

Friday night.—Enquiry should be made why the *Resolution*, *Hampshire*, and other ships, have been fitted out anew, when several ships are lying ready for sea at Portsmouth and Plymouth; till these are paid off, the charge is doubled by fitting out others.

I suppose you will go upon admirals taking upon them the victualling of their squadrons and hope you are sufficiently prepared for it, because it is certainly necessary for saving of money (for I suppose no admiral takes it upon him for nothing) as well as for the good usage and right of the seamen; squadrons being like to be sent frequently abroad and this method growing into a practice, notwithstanding the victualling is in commission, who ought to save for the King what the admirals get; and why should admirals in double pay do anything of that kind ?

The addition of 6d. a day to the registered seamen by colour of the act, is not to be forgot. If you will peruse the act itself you will be better satisfied whether they had authority for it.

Colonel Churchill this day desired of me the date of the letter forbidding us to advise. If anything of that nature be asked for, I am of opinion that the whole of what passed between us about the retrenchment should be ordered to be laid before you by the Navy Board.

The laying out so much money for houses, without an Order of Council for it, is worth your consideration. By the rules of the Navy, no such extraordinary services should be taken in hand till estimates are prepared and money provided. It is another question whether things of this nature should not be negotiated by the Lords of the Treasury.

It should be considered whether now that they have double pay, table money should be allowed, allowed too when they are ashore as well as at sea; and flags and captains paid the wages of higher rates and stations than they serve in; because such precedents may bring into the navy practices of vast expense to the nation, and make room for much partiality.

Yesterday gave you some light how things go with us. You see we must expect no favour. Whether I behaved myself as I ought, I cannot tell; for that House mightily awes me as yet.

[*Seal.*] [*In the handwriting of Charles Sergison's clerk.*]
Before 1711, but not dated.

Admiral Sir STAFFORD FAIRBORNE to the EARL of OXFORD.

1712, August 27th. Her Majesty having promised that he should not be a sufferer in his allowances but that she intended to have it made up to him equal to the half-pay of an admiral (which was what he had before) there remains to make such allowances good to Christmas last 912*l.* 10*s.* Begs that his Lordship will allow this out of the Civil List or Contingents of the Navy until Her Majesty employ him some way for her service, which is at all times his chief ambition. *Holograph.*

THE SAME to THE SAME.

1713, September 28th. Forgive me if I desire leave to put your Lordship still in mind of me by repeating my case. Lord Pembroke when he was Lord High Admiral and gave me my commission of admiral of H. M. Fleet assured me I should be considered as such in my allowances until it should be Her Majesty's pleasure to command me to serve in that station. Accordingly for one year I received the half-pay of an admiral until Lord Orford in the time of the late ministry reduced that appointment to the half-pay of a vice-admiral, which I complaining of to her was made to hope it would be made up to me; and for three years past I have been soliciting your Lordship to be redressed. Your Lordship has assured me several times that I should be made easy and my affair soon be fixed, which I do still depend upon. There being at this present near 1800*l.* due to me to make up the half-pay of the admiral and near two years in arrear to make up the half-pay of the vice-admiral which is above 900*l.* more, I have subsisted chiefly upon the credit of all this so I hope your Lordship will give order that I may not continue much longer under such hardships.

Holograph.

THOMAS MELDRUM to the EARL of OXFORD.

1712, September 26th, *Folkston* at Bristol.—About eight days ago, I writ you an account of several irregular methods whereby Captain Gray has defrauded her Majesty of considerable sums of money which I proffered to make plainly appear if your lordship would order my discharge. Since I writ, the Captain has heard something of it and says he will not discharge me unless there comes a positive order from your lordship and for fear I should give you an account he endeavours to hinder me of pen, ink and paper, so that I am forced to write this by stealth. Therefore I hope your lordship will take care to get me speedily discharged otherwise I shall be used very barbarously by the Captain.

JOHN VOUSDEN to the LORD HIGH TREASURER.

1713, July 14th. From Mr. Griffith's, Miles Lane, Thames Street. Complains of abuses in regard to the ballasting of ships.

Docketed by Oxford Complaints against the Trinity House.

B[ENJAMI]N EDMONDS to the EARL of OXFORD.

1713, August 21st, London.—Access to your Lordship in Town being very difficult by reason of the great weight of affairs upon you, I beg leave to trouble you with a short letter in the country. I know not whether you will remember that I am the person who by contract with the Navy have for several years past supplied H.M. ships in New England with money by my agent there, which I was to be paid again by the Navy Board at a rate of exchange settled in my contract. I have had Bills returned me to the amount of 8,000*l.* advanced in New England two years since which I have been soliciting for here above a twelvemonth. My humble request, therefore, is that I may have a hearing before you in the Treasury and that the Navy Board may be desired to attend so if there be objection against the payment of my Bills I may do myself justice. I assure myself that your Lordship will be moved with the hardship of my case and the more when I acquaint you that my agent in New England is come over here and waits in England to the great detriment of his business only to solicit payment of these Bills.

R. D. to the EARL OF OXFORD.

[1713, December.] We have a happy peace through your care, but still labour under great taxes and many people that have small families go and live three or four families in a house to save taxes, so that having abundance of poor in almost all parishes it lies very heavy upon us and the only way to ease it is to lessen the number of great officers and take off half their salaries, and discharge the yachts which are nothing but a dead weight to the nation. Formerly, when timber and plank was cheap, we used to save our men of wars' bottoms but now they throw all away save 2 or 3 timbers, [so] that the Government loses eight or ten thousands in rebuilding every great ship ; the timber and plank of their bottoms have been surveyed by merchant builders and able shipwrights and the old that has been thrown away has been proved to be better than the new they have put in. This is matter of fact however the officers may palliate the matter.

[*Docketed by Harley.*] Navy Abuses. Received by penny post December 10th, 1713.

William Jones to Josiah Burchett.

1714, July 16th, London.—Prays he will represent writer's service in the Navy to the Lords of the Admiralty to obtain from them the place of Agent Victualler now vacant at Portsmouth. His last eight years' service have been at Lisbon upon the Prince's commission to be Storekeeper of the Navy there, on the recommendation of the Navy Board after fifteen years in that office. The four latter years by an order from the Earl of Pembroke, then Lord High Admiral, he acted jointly with the Clerk of the Check and Survey, as a Commissioner of the Navy ; in which time he procured the considerable sums required to be drawn at so low an exchange that the Commissioners of the Navy and those Commissioners sent into Spain and Portugal to inspect the Public Accounts took notice of his good husbandry so much to the advantage of the Crown. But it was his misfortune in the whole time of his being abroad that he could not obtain the favour of a double salary, as others had before, and some officers then on the spot ; nor at this time has he any subsistence, by half pay or otherwise, being only encouraged after faithful discharge of his trust he may be preferred at home.

The following documents, relating to this reign, are without date.

Remarks on the Instructions for preparing Commissions for Privateers.

The instruction "to seize and take the ships and effects" not only "of the King of Spain and his subjects," but also of "others dwelling in the dominion of Spain," seems to be contrary to the law of nations, to the law of treaties, and dangerous to the freedom of British trade even now, but still more in the future. The trading subjects of Great Britain have a right, for the carrying on of their trade, to dwell in any foreign country where they may be admitted ; and while they continue subjects of Great Britain, they have a right to the protection of their sovereign against any wrongs that may be done them, in their commerce, by any prince or state in amity with Great Britain. The trading subjects of any other nation have similar rights ; so that no prince, being in amity with any foreign nation, can have a right to disturb the subjects of that nation in their just and lawful trade, whether they remain at home, or dwell in any foreign country, although that prince be at war with the country where they dwell. But if the subjects of neutral princes are now treated as this instruction directs, it will not only give present cause of complaint, but also be a rule for the ill-treatment of British subjects by other princes on the like occasion. No reason can be given why the Tsar and the King of Denmark should not, upon this foot, seize all the ships and effects of British subjects residing in Sweden, which would be one present ill effect of this order. The bad effect of it in the future is yet more to be apprehended; for when we are neutral and other princes engaged in a war, our practice now will be a rule to them, and justify each of the contending parties in the ruining our trade with their enemies.

In the handwriting of Adrian Drift, secretary of Matthew Prior.

Memorandum. When the Treasurers of the Navy were allowed poundage, before the large salaries were settled upon them, it was done by the Auditors of the Exchequer, upon the treasurers' carrying thither their accounts from the Navy Board to be passed, and was according to the amounts of their payments on their said account.

With some rough notes in Harley's writing:—

If it can be proved that the provisions were bought from English people for victualling the fleet ?

Was ever any poundage taken from the ministers or surgeons ?

Was there any order from the Admiralty to victual the fleet ?

Who were first commissioners of victualling ?

Mr. Papillon's exceptions to Auditor Bridge's account ?

Observations on Mr. Russell's account.

How long hath the mariners' poundage been taken ?

An Essay for victualling her Majesty's men of war by giving the pursers a fixed salary instead of the perquisites allowed by the present establishment. The gain to the purser of a 1st or 2nd rate by the present establishment is "at a modest computation" £1,000 *per annum*, out of which he has to pay his steward and other instruments. If these were all put on fixed wages—the purser at £200 a year in a 1st rate and £180 in a second rate—the whole would amount to £357 in a first rate and £328 in a second rate. The saving on smaller ships would be proportional; and in the whole would amount to not less than £30,000 per annum.

Some reasons for giving the Queen a share of Prizes. The late Act for Cruisers and Convoys gave the whole to the captors. This opens a way to many irregularities, and especially the embezzling of much of the value by the officers, to the detriment of the men who cannot be admitted as witnesses: but if the Queen had a share, even though much less than formerly, the seamen could be witnesses in her behalf and the flagrant wrong would be prevented.

Objections to a proposal [*not here*] for an expedition to rendezvous at the Azores and proceed thence to attack TOULON.

Rough draft of an answer to the objections and some details of the scheme—according to which Toulon is to be infallibly destroyed.

A list of PRIVATEERS sailed out of FRANCE and ready to sail, who have taken and ransomed since the commencement of this present war about 1,000 ships, to the value of £2,000,000 ; 80 of which in less than a month's time, 40 of them from the West Indies.

Belonging to St. Malo, 78, not counting several of from 6 to 10 guns. " Besides which there are 14 sail ready to launch that will carry from 24 to 40 guns each, some of them rowing with 36 oars."

Sailed from Dunkirk, 31, including the *Salisbury Anglais* of 54 guns, *Squirrel* of 26, *Ludlow* of 32, *Milford* of 32.

" The last advices to France from Martinique say that there was then out of that port 18 sail of from 6 to 18 guns, which have carried into that island since the war above 250 English ships ; 30 of which in less than a month, from Guinea and traders to the West Indies."

SIR GEORGE BYNG'S REQUEST RELATING TO HIS POST IN THE FLEET.

" Sir George Byng prays the Queen would be pleased to send her orders to the Commissioners of the Admiralty, signifying her pleasure, that the directing a commission to Sir James Wishart to be Admirall of the White, should not prejudice Sir George Byng in his rank or post in the fleet as he is the admirall of the White, but that when the list of flag officers for half pay shall be settled, Sir George Byng be esteemed the proper admiral of the White and have the half pay accordingly when he shall enjoy no other publick employment, and that this her Majesty's pleasure be entered in the bookes of the Admiralty office that no dispute may arise hearafter."

[*Enclosure.*] *Memorandum.*—Sir James Wishart was never more than Rear Admiral of the Blue. But he had a Breviat to be Admiral of the Blue. But, by late Order of Council no Breviats are to be paid for those dormant Commissions.

List of SHIPS in Harbour and in Ordinary, in a condition to be fitted to sea.

Rough List of eleven ships (possibly privateers) with names of their captains; and of the equipment of the ships.
(Drawn up by one of the Captains.)
Fair copy of the same.

Notes of five Swedish Ships bound to London and one to Bristol, laden with iron, deals, hemp and cordage.

List of Dutch and English ships at Spithead.

Case of a Swedish Ship with wine seized for the use of the Lord High Admiral. She has a pass from the King of Sweden and the writer conceives that the "unfree" cargo does not make an unfree ship.

Instructions to pursers, by warrant from the Commissioners for executing the office of Lord High Admiral. *Printed.*

Rough notes as to the expenditure of the NAVY BOARD.
Note of Naval and Victualling Services to be supplied out of 100,000*l.* to be borrowed of the Bank.

Memorandum, drawn up at Harley's request, of the proportion of wear and tear for 40,000 men for 13 months at 27*s.* a month and for their victualling at 19*s.* a month. Also for 7,000 men for the same time.
Docketed by Harley. Proportion for the course.

Tabular statement of the estimated cost of 15,000 men for 13 months. Total 1,000,000[*l.*]
Note by Harley at the foot. Of the tallies in the Treasurer's hands apply 2 thirds to the course of the Navy and the other third to the course of victualling.

Scheme in answer to a query Whether against a hard gale of wind and under two courses, reefed, it be practicable for a ship to come to England from Holland and in what time?

This scheme supposes a vessel might sail from the mouth of the river Maes to the coast of Suffolk about Lowestoft and Southwold, when the wind shall be at W., W. b N., or W. b S., never to the northward or southward of the last two points which are almost direct upon the mouth of the Maes directly contrary for coming to England.

Whitby Harbour. Answer to objections which have been made against it; and the conveniences of it for a harbour compared with others.

Some observations upon the insufficiency of our naval strength and a means propounded to amend it and thereby to command effectually the trade of the world and consequently the Dominion of the Sea.

A proposal to do away with ships of the line and apply the money to building and fitting out a great number of small vessels of 150 tons or thereabouts, "whose nimbleness and other advantages shall triumph, leave, or take every other thing that floats the seas, shall scorn the stronger and bigger men of war but never fail to destroy the weak trader."

Fair copy endorsed by Harley. Some choice observations and proposals on our naval strength by Mr. Dummer.

THE ARMY.

1702, May 1st, Court of St. James.—Warrant for the pressing for the Queen's service of such numbers of men for drummers, fifes, and hautboys, both for sea and land, as shall be necessary. *Signed* Ja: Vernon.

[*Copy.*]

1704, April 12th, Court of St. James.—Warrant appointing Major DUNCAN MACKENZIE to be captain of a company added to the regiment of Foot Guards whereof Lieutenant General George Ramsay is Colonel, which company is destinated and appointed for the security of the Highlands and other adjacent countries against thefts and depredations. He is hereby authorised to have the rank and precedency of a lieutenant colonel from this date. *Signed* Cromertie.

Edinburgh, May 16th, 1704.—Presented and recorded in the records of the Secretary of War according to order by me John Aitkins.

Edinburgh, 12th August, 1704.—Recorded in the Muster Master's Books by me Th. Bruce.

Entered with the Secretary at War, Rd. Arnold.

[*Copy.*]

1704, May 11th, Court of St. James.—Warrant to Charles Fox Esquire, Paymaster General of the Queen's Forces acting in conjunction with those of her allies, to allow out of the moneys for the use of the Forces in Portugal, 10*s.* a day to JOHN STEWART, late Major to the Regiment of Lieutenant General William Stewart, out of the pay of several officers of that Regiment who have agreed to allow him that sum. *Signed* H. St. John. [*Copy.*]

S. N. to ROBERT HARLEY.

1704, September 2nd, 1704.—If your Honour give encouragement and protection I will make it out to you that Her Majesty is very much disappointed of the Recruits intended her by the ACT FOR RELIEF OF INSOLVENT DEBTORS by her own officers. Your unknown but most humble servant. S.N.

Docketed. An Advertisement in the Gazette. September 4th, 1704.

EDWARD NICHOLLS to [ROBERT HARLEY ?]

[1704.] Last night Mr. Cardonel was with Mr. St. John at his office three hours upon settling the list of officers for the new regiments. There are so many memorials signed by many hands that without your favour I despair. The Duke of Shrewsbury said yesterday that he would put the Duke of Marlborough in mind of me as soon as he could see him. I humbly beg you will let his Grace know my hard fate ere it be too late. You were pleased to say you had sent to Mr. St. John. I beg a word or line to Mr. Cardonel because he will be last with the Duke. When the Duke is gone, I will employ my whole time to discover what the person *incognito* is.

[*Holograph.*]

Sir Henry Ashhurst to [Robert Harley ?].

[1704 ?] I humbly beg of you to give my Lord Treasurer an account of Major General Waite Winthrop. He commands the Militia under the Governor: he is the best quality, the best land interest, the best beloved, of inflexible honesty, and it would be a security to the country to have him lieutenant governor until my Lord Marburough and my Lord Treasurer shall think of a fit person to send governor. It would revive the drooping spirits of that poor country: not a penny charge to the Queen. His salary, the country finds, is but 100*l.* per annum, that is 60*l.* of our money. There is no lieutenant governor. Dudley would not let Blaitwait's brother in law, one Powey, who was sent over in that quality, share with him in his oppressions and so he was weary and came away. I know it is not in your province to concern yourself about New England but my Lord Treasurer saying he would speak with you concerning him upon my telling his lordship that the Winthrops were a family your now blessed father esteemed, your character to my lord of this man is, I hope, all I need to accomplish what I have long laboured for in reference to New England in the being an instrument to remove that wicked Hamon from that good people.

P.S.—I pray read my Lord Treasurer this hasty scribble. This Winthrop is a person I never saw neither doth he know anything of what I request for him.

(*Holograph.*)

——— to [Robert Harley ?]

[1705] I have this moment received your letter and have two reasons for answering it, though in haste—one that a messenger is just going away, the other that if I do not write now I may not be able to in a post or two, for I am in a few hours going away from this place and may not soon meet with pen and ink again. I find from your letter, one from Mrs. Ramsey, and by many others from England, that the reports there do me great honour in making me first member of a Council of War, and next in giving me a part there of such consequence as to contradict and obstruct the unanimous opinions of so many great generals. Either I am mistaken or all of you who send me this intelligence seem to do it as if not quite sure that it might be true, and therefore though I think it would be more than a business enough for any one's whole life to contradict all the falsities that are daily coined, I will at least throw away so much time as to tell you how little ground there is for this well laid story. First, I have had nothing to do [with it] neither directly or indirectly: I am not very hasty in taking commissions upon me and this now imputed to me is more than ordinarily out of my way; but I can go further and assure you that neither the Duke of Ormond nor any one else here has ever said he had orders not to act offensively, and though this is introduced with a solemnity to the world as if it had passed in a Council of War, there has been none such held either upon that or any other subject; the foundation of all is that in private consultations with Prince Eugene and the State's Deputies, the Duke desired some few days' time for hearing again from England before he took any action and this made them suspect he had such orders as the world now talks of. It is no surprise to me to find the alarm they have raised upon it for it was easy here to foresee it. I only tell you facts but shall not reason upon them, you have enough of that at home. As I have mentioned, Mrs. Ramsey's letter at the beginning pray tell her that the next place of rest I come to, even before I take my rest, I will send her my thanks for it. Yours affectionately,

[*Unsigned.*]

George Feilding to [Robert Harley].

[1707 ?] March 5th. The Regiment which he will have the honour to command, only upon captain's pay, having received orders to march to Colchester for embarkation, he reminds Harley to speak to Her Majesty in his behalf, time being so very short for his stay here. Esteems himself very happy to be under his protection.

[*Holograph.*]

Colonel F, Cavallier to Robert Harley.

1710, December 4th.—Pursuant to your orders, I delivered last Thursday into the hands of Sir St. John the list of the officers for 13 companies at 68 men in each company, viz^{t}. 3 sergeants, 3 corporals, 2 drummers, and 60 soldiers, and this morning he told me that Her Majesty had ordered him that my regiment should be speedily raised, and to know of you what sum of money was necessary towards it: and he desires you to send him as soon as possible your opinion about it. And as for me I will make it my chief business to answer Her Majesty's and your expectation and to shew by the event how I do value your protection. The time runs apace; it is very precious to me and therefore I humbly beg you the favour to despatch me.

1710, December 7th.—Seeing I cannot have the happiness to find you at home, I take the liberty to tell you in writing what I was ordered to tell you by word of mouth. Mr. Secretary St. John has commanded me to tell you that on his part all things, and chiefly the commissions, were ready and desires you would be pleased to give your orders for the sum of money I am to receive towards the raising of my regiment and other necessaries, and to acquaint him with what you think fit to be further done in the business to that end he might do it; he has charged me also to bring him your answer. Intending with God's assistance to perform in May next the undertaking in question, the time remaining will scarce be sufficient for it, if I be not speedily despatched. Some officers must be sent out of hand to raise recruits and particularly Mr. Lafons, who is to go beforehand into the country you know, and you will, I hope, grant me a letter of recommendation for the Prince of Wirtemberg that he may give me leave to rendezvous my regiment in a town of his and another for H.M. Envoy at Berne in behalf of Mr. Lafons, that he may assist him.

Mr. Granville's report on the petitions of Sir DANIEL CARROLL and Captain JOHN STAUNTON.

In obedience to your Majesty's order of reference signified by Henry St. John esquire, one of the principal Secretaries of State, on 17th December last, on the above petitions wherein Sir Daniel sets forth that, having been several years in the Duke of Anjou's service and being informed of Her Majesty's desire that the Irish should quit the Duke's Service, he with others of the chief Irish officers concerted measures with Captain Staunton of Lord Barrymore's regiment and sent proposals of articles by him to the Earl of Galway which were agreed to by him and afterwards ratified by your Majesty. On which Sir Daniel came off with his whole troop and several others, officers and troopers, followed him, sufficient to form a regiment which was accordingly formed and made a very good appearance; and that by the ninth article of the agreement the officers were to take post according to merit and seniority: petitioner is thereby entitled to the regiment, Colonel Keeting being discovered and taken prisoner at his coming off. But Lord Galway contrary to the agreement gave the regiment to Major General Hogan in the Portuguese service who had no hand nor interest to bring off any of the Irish in the enemy's service. Petitioner on the contrary having great influence and interest among the said Irish and claiming the performance of the agreement, prays your Majesty to order him a commission for the regiment and fulfilment of the agreement.

Captain Staunton sets forth that having been long an officer in the Earl of Barrymore's regiment and having been taken prisoner in Spain, losing thereby all his baggage and money, he while prisoner at his own expense and hazard of life travelled through Spain and concerted measures with the Irish officers in the Duke of Anjou's service to quit Spain and enter your Majesty's service on articles as above, that by the articles he was to have a troop and post, rank, and pay, equal to the other officers, as by the said articles and the certificate annexed [*not here*] may appear. Prays he may have relief in his sufferings and expenses and a lieutenant colonel's commission in the said regiment, as in the articles.

Granville finds in behalf of Sir Daniel Carroll that by Article 1 of the agreement signed by the Earl of Galway for bringing over Lord Killmalok's regiment of dragoons of which Colonel Keeting was to be colonel (though in what manner the articles were confirmed by your Majesty does not appear to him) Sir Daniel Carroll as being next officer to Keeting was to be lieutenant colonel of the said regiment. But Keeting being taken in making his escape, the Earl of Galway by letter of August 6th, 1710, acquaints Sir Daniel that he has made Major General Hogan colonel of the regiment because he thought it absolutely necessary to have at the head thereof one who was a major general in the Portuguese service and had interest in Portugal. By article 9 and last of the aforesaid articles, it was proposed on the part of the Irish officers that in case any of the field officers and captains should fail to come off according to their agreement the vacant posts should be given to the next field officer or captain which was agreed to on the Earl of Galway's part (who signed the articles) provided there came off officers and soldiers wherewith to form the regiment and consequently it fell to Sir Daniel to have it according to the articles.

For what relates to Captain Staunton, it was stipulated by Article 1 that he should have command of a troop.

Whitehall, January 10, 1710-11.

A Copy of the above report.

Secretary St. John to G. Granville.

1710-11, February 9th, Whitehall.—I am to acquaint you that the Queen approves of your report and the annexed articles [*not here*] and intends that the articles shall be entirely complied with as agreed to on her part and she is sorry that they have not hitherto been strictly observed. As it is plain by the articles that Sir Daniel Carroll's pretensions to be colonel of the regiment now commanded by Major General Hogan are very just and reasonable she has ordered a commission to be prepared for him accordingly; and as by the said articles Captain Staunton was entitled to a troop at the first forming of the regiment and rise in the regiment according to seniority she has ordered a captain's commission to be immediately prepared for him, and designs that he be advanced according to his seniority, which you will take care to enquire into.

I am to desire that you will give notice to the Paymaster here and at Lisbon that Major General Hogan's pay may be immediately stopped; and that you will write to the Earl of Portmore to acquaint him with Her Majesty's pleasure in order to the exact performance of the Articles.

George Feilding to [Robert Harley.]

1710-11, February 16th.—This is only by way of memorandum to desire your despatching the business you have so generously espoused and yesterday at St. James's assured me would be done soon. All I further urge on this head is your consideration that the year's salary with deductions amounts to no more than 250*l*. I humbly hope, therefore, Her Majesty's further bounty (the sum I refer to your kind disposition to me), the time being short that is nominated for the regiments' embarkation.

P.S.—I must add that I shall command a regiment of Guards as Colonel only upon captain's pay.

IGNATIUS NUGENT to LORD HARLEY (*sic*).

1710-11, February 12th, N.S. Lisbon.—As your lordship has been my very good friend in my last promotion and in despatching me away hither, I now take the liberty of giving you my humble thanks for all your favours and begging leave to lay before you that Colonel Cusack whom I succeed was paid 24 pistoles per month the two first years after he came here, as appears by a certificate from Mr. Thomas Martin the then paymaster, which I have enclosed by this packet to Lord Dartmouth. Sometime after that, Lord Galway on some pique to Cusack paid him but 10*s*. a day and named no more for him in the list of officers to be paid out of the extraordinaries for the war which Lord Portmore sent to England before I came here. Lord Portmore is now satisfied that Cusack was paid 24 pistoles per month the two first years after he came here and that there was some misunderstanding between Lord Galway and him after. So I hope that your Lordship will take some measure that I may be paid 24 pistoles per month as Cusack was when he had justice done him, which will put me in a reasonable condition to serve Her Majesty and not be obliged (through want) to return to England rather than live miserably here in a poor hungry country where a year's pay will scarce buy me a couple of indifferent horses to serve with and not have a penny to live on. I humbly beg you will consider the misery I must endure if this be not allowed.

General C. R. ROSSE to the EARL OF OXFORD.

1711, May 29th, Harwich.—I can no longer repine at the misfortune of being detained in this place by a contrary wind since by that I come sooner to the knowledge of the justice the Queen has done your Lordship and the nation. The duty and fidelity you have shewn to Her Majesty have deserved the greatest marks of her favour: and when the nation reflects on the late proofs you have given of your capacity in managing the great trust committed to your care they will undoubtedly expect all the advantages that can proceed from so wise and just an administration. I humbly beg leave heartily to rejoice with them on this happy occasion.

Endorsed by Oxford. Received June 1st.

G. GRANVILLE to the QUEEN.

1711, June 18th, Whitehall.—In obedience to her order of 19th February last, signified to him by the Duke of Queenberry, on a petition of Colonel HENRY MONRO setting forth that during the siege of Londonderry he commanded a regiment of Foot, the greatest part of which was raised by him, and served during the whole war in Ireland, that there is due to him and his officers for their service 10,000*l.* and that he was damaged in his estate by the enemy to the value of 12,000*l.* yet was never established upon half pay nor any compensation made him; and that he thinks himself capable of raising a regiment in Ireland, if encouraged; and praying that he may be established upon half pay or have a command given him; I find that he did command a regiment of Foot of 13 companies during the siege and did good service. It appears likewise by certificate of Mr. King, one of the Commissioners appointed by your Majesty to state the debt of the late King William, that the said regiment has a claim for pay between 5th February, 1688, and 12th August, 1689, of 8,360*l.* 2*s.* and the Colonel has a further claim for pay as reformed colonel in Colonel Mitchilbourne's Regiment between 12th August, 1689, and 13th December, 1693, but he does not certify the sum due. I am of opinion that your Majesty may recommend him to the Duke of Ormond to be placed upon the Establishment of Half Pay in Ireland or otherwise to encourage him by some post there.

The DUKE OF ORMOND to the LORD TREASURER.

1712, November 24th, London.—He has considered the above petition with papers annexed and for more certain information transmitted the same to the Lord Justices of Ireland who have returned a report of the Muster Master General of the Kingdom that the allegations are proved by the testimonial of the mayor of Londonderry; and, in consideration of a great arrear apparently due to Monro, Ormond is of opinion that Monro is entitled to Her Majesty's favour, and if she grant him 8*s.* a day (the allowance to a Colonel on the Establishment of Half Pay in Ireland) it will be well bestowed.

Colonel HENRY MONRO to the LORD TREASURER.

1713, December 21st, Roshall.—Your former favours have emboldened me to put you in mind of your promise when I last waited on you and, as I had the happiness of your advice in the first proceedings of this affair to every step I took accordingly and the whole proceedings are now before you in the Treasury, I leave the issue to your wisdom and bounty. My long attendance for three years [has been] at great charges and expenses even to the incumbrance of my estate and the impairing of my health (who am now labouring under the greatest indisposition and in danger of losing both my eyes) but your Lordship's commiseration assures me of recompence for my labour and toil. I laid before Her Majesty and you memorials of my predecessors' services and sufferings for the Royal Family, without ever any gratuity or reward, and likewise of my own and of my readiness to serve. But it is not now arrears I look for, only a bare subsistence of pension or half pay for which I had your promise and do still depend on. The Duke of Ormond has testified in my favour: Mr. Netterville has attended your Lordship in my behalf and to the utmost of my fortune and life I should be proud to be serviceable to you. A thousand pardons for this presumption. [*Seal.*]

Memorandum. That your honour will please to remember to speak to the Duke of Ormond that Colonel Monroe may have leave to raise a regiment of Foot in Ireland at his own charges to serve the Queen according to a proposal which lies before his Grace.

Lieutenant General R. INGOLDSBY to the LORD TREASURER.

1711, July 10th, Dublin.—I now take leave to address you upon an occasion that concerns myself and beg permission to lay before you my sufferings by Lord Orkney's being made General of the Foot before me. The enclosed is a true state of my case which I recommend to your Lordship's consideration and, as I have served above 22 years without any intermission and, I hope, without discredit, I beg your protection that I may also be considered as to my promotion, which I presume you will not think unreasonable as I once commanded Lord Orkney as colonel and have since been promoted with him to the posts of major general and lieutenant general. Now that I have represented my grievance your known justice gives me great confidence I shall not long continue under the uneasiness I suffer by being postponed in my promotion.

P.S.—I must also beg leave to observe that General Rosse who is by some years a younger lieutenant general than myself has lately had a promotion to my prejudice by being made colonel general of the Dragoons which I cannot but take to heart but hope for relief from your Lordship's great regard to justice.

[*Enclosure.*] State of General Ingoldsby's case.

He was an older colonel than Orkney, his commission bearing date 1789 (*sic*), that of the latter some time after.

When King William made Orkney a brigadier in Flanders Ingoldsby complained to the King, his Majesty declared he was surprised to find him the older and gave him assurance that since it was a thing done it should not prejudice him for the future. He therefore hopes it will not be thought unreasonable by the Queen that he should continue to have the same promotion with Lord Orkney as was practised in the course of their past promotions, he having never been out of the service for almost 23 years past, and having now the honour to command a separate army under the Duke of Ormond.

[**Marquis** de] **Miremont**. Memorial. General Churchill and he were made brigadiers on the same day, and major generals in like manner. When Churchill was made lieutenant general Miremont demanded to be made one also according to his right and service but was not so made until some time after when her Majesty honoured him with a very wide commission to go in command of a corps of troops in Piedmont which made ample amends for all the wrongs which had been done him. To regain his rank in the same manner as the Queen has granted to Lord Windsor and others, he prays that the Queen will grant him a commission of general of infantry of the same date as that of Mr. Churchill, that the generals who are his cadets may not have precedence of him. The persons who lately took care to hide from her Majesty all that could be to his advantage have also wished to persuade many that he had left the service which is entirely false. [*French.*]

Docketed by Oxford. Received July 13th, 1711.

J. A. BAMFORD to the EARL OF OXFORD.

1711, September 26th.—Having seen the advertisement in the Gazette giving notice of your Lordships order to the Army controllers to inspect into the matter of the irregularities (still) carried on in Chelsea Hospital, I presume it my duty to lay the inclosed [*not here*] papers before you, if they may be of use in your Lordship's intended progress in the detection of the abuses committed in the Hospital. I take hold of this opportunity of making my most grateful acknowledgment by my highest thankfulness for your favour and goodness to me in my part of your order for 300*l.* to Mr. Theedam, Mr. Billers, and me, in which I was informed your Lordship did at first direct me to be made equal with Mr. Billers, as Mr. Speaker of the House of Commons had, in pursuance of his promise by an advertisement in the Gazette of 19th December last, recommended me (singly) to your favour. But I most humbly acquiesce with and submit to it as it now is appointed by your Lordship to be distributed, though a moiety of what was said to be your prime intention, which must be owing to some misrepresentation of me by Mr. Billers as if he were the original and principal cause and mover in the late prosecution of the officers of the Guards and Chelsea Hospital, to which last I never understood he at all pretended.

Mr. Billers would now put me by the receiving of the benefit of your Lordship's last order by a further misrepresenting me in the office, but I hope I have removed all he would suggest or impute to my prejudice by answering his objections (in Mr. Lowndes's absence) to Mr. Tilson in writing, so that I shall not be further troublesome or prolix at a time when you have so very many and the most weighty affairs of the whole realm wrapped up and in one burden laid upon you. I shall therefore forbear to trouble you with any objection I might make to Mr. Billers and were my dress fit to appear in I should not presume to approach and address your Lordship in this more impertinent and abrupt manner which I beseech you to pardon ; and to forgive me also for saying (though a great truth) that it is much owing to and arises from the enmity conceived against me for this prosecution that I am thus reduced to what I was when I had the honour of access to you from Mr. Cardonnell's recommendation of me with a cypher (for a private correspondence) some time in your Lordship's principal State Secretaryship.

Docketed by Oxford. False musters.

JOHN BOTELER to the LORD TREASURER.

[1711, October.] I think myself very happy in your command to lay before you the many hardships I have for some time laboured under arising from the last election for Hythe at which Henry Deeds, mayor, returned Lord Shannon and Mr. Fane, but on petition of Mr. Berners and myself, it appearing that the return was made by the partiality of the mayor and that Colonel Marsh, deputy to the Lord Warden, had influenced the election contrary to the Act of the first of the late King for restraining the power of the Lord Warden, the House declared us duly elected.

Sometime after the rising of the House, by order of Lieutenant General Cholmondley, Governor of Tilbury Fort and Gravesend (for persisting to receive my usual perquisites) I was put in arrest and proceeded against, as may appear by copy of a memorial lately presented to your Lordship which I annex. During this confinement my Lord Warden, knowing how the last election turned, thought fit (accompanied with Lord Shannon) to visit this port, where his Lordship, Mr. Matthew Lant, Dr. Deeds of Canterbury, Dr. Curtis of Sevenoake, Mr. Amhurst of Riverhead, and Mr. Boswell, were made free by the aforesaid mayor though (contrary to all precedent) he had refused that honour to Mr. Berners, their member, and to two of the inhabitants, whose right was allowed by the House. These were the first honorary freemen (not representatives) ever made in that port. Since which, Lieutenant General Cholmondley, in regard the representation of the General Officers was referred to a court martial and not returned for censure to the said General Officers, as he expected, hath deferred proceedings therein or to give me an opportunity of justifying myself, an appointed court martial being put off at the same instant that I was ordered and ready to attend with my witnesses to prove the contents of the said representations frivolous and vexatious, and no day fixed for summoning another, though he detains my rightful perquisites and restrains my liberty.

Enclosure. The Case of Jo. Boteler Esquire, Lieutenant Governor of Tilbury and Gravesend, submitted to the Lord Treasurer of England.

The first Lieutenant Governor of these Forts was Colonel St. Clere appointed by commission from Charles II., by virtue of which he became possessed of divers perquisites which he enjoyed under several Governors without interruption until in the reign of the late king Major General Selwyn, being made Governor and finding perquisites mentioned in his commission, thought fit to claim those so long received by Colonel St. Clere. But on hearing they were adjudged by His Majesty to the Colonel who continued to receive them during his life. In the beginning of the present reign Lieutenant General Cholmley being constituted Governor and Mr. Boteler Lieutenant the dispute was revived but was determined for Mr. Boteler by the then Lord Treasurer and the Duke of Marlborough. So there is no precedent for a Governor having ever received them.

Soon after, at the instance of the Governor, as an ease to them both in case of necessary absence, Boteler agreed to allow 4*s.* a day to a fort major nominated by the Governor who, though commissioned was not on the Establishment, which he has continued ever since.

On 12th July last, in time of privilege, for insisting to receive his perquisites, he was arrested by the Governor's order and brought before a Court of General Officers, the Governor being president, who was thereby accuser, judge and party ; and he was interrogated as to his claim to perquisites, non-residence and matters said to be committed during his attendance in Parliament, and a representation thereon was laid before the Queen who referred it to a court martial before whom he doubts not to clear himself. But since his right to these perquisites cannot come before the court and his pay is but 10*s.* *per diem,* which is no way answerable to the expense of the post and he remains under arrest, he prays his Lordship's determination therein.

Docketed by Oxford. Received October 3rd, 1711.

EDWARD, LORD HINCHINGBROOK to the EARL of OXFORD.

Memorial shewing that he has served in the regiment of Dragoons now Sir Richard Temple's above two years during which time several who never served in military employment have been preferred to much higher and more advantageous posts. Last winter being ordered with the regiment for Flanders, he was at great charge in providing equipage, which has much straitened him, he having no present allowance from his father the Earl of Sandwich. Prays he may be preferred to some post that may better enable him to shew his unfeigned duty to Her Majesty and his zeal to serve his Lordship.

Docketed by Oxford. Received October 10th, 1711.

CHELSEA HOSPITAL.

[Mr. How] Praying that there may be a new Commission for the affairs of Chelsea Hospital, constituting a greater number of Commissioners ;—First, the Commander in Chief, two or more of the eldest Lieutenant Generals, the Chancellor of the

Exchequer, the Paymaster General, the Auditors of Imprests, the Controllers of the Army Accounts, and a good number of others as her Majesty shall think fit—to meet once a week and the warrant signed by five [*substituted for* three] or more of the said Commissioners, the said five to be always present at the Board. That it be part of the Instructions that upon vacancy of any Commission Officer belonging to the Invalid Companies no person be admitted who has not been disabled by wounds in the service or who shall not have served —— years.

Endorsed by Oxford. Mr. How's proposal for Chelsea, etc. Received December 11th, 1711. Regulations.

R. INGOLDSBY to the EARL of OXFORD.

1711, December 22nd, Dublin.—The great honours his Lordship did him at London oblige him to trouble him with his most humble acknowledgments for them. It was a sensible trouble to him that his Lordship was so indisposed when he left London that he could not receive his commands though he had been several times to pay his duty to him. Hopes this will find him in a perfect state of health which he has a very particular interest in, as he is confident all loyal subjects have. Must humbly remind his Lordship of his pretensions to the post of general of Foot which he doubts not his Lordship's great regard to justice will induce him to procure for him.

Holograph.

Brigadier General WILLIAM STEUART. Memorial to the Queen.

He has served the Crown as a commission officer above twenty three years, the last ten as a field officer and most part of that time as lieutenant colonel to General Steuart's regiment with a brevet of colonel. Has been on active service in the late and present wars abroad in Flanders, Spain, and Portugal, and has sustained great losses by wounds, loss of equipage, etc., several times, when taken prisoner by the enemy, for which he has never had any recompence but on the other hand has suffered hardships by the late ministry. He is an older colonel and brigadier than many who have now regiments. As he has only pay as lieutenant colonel although an older colonel than most of those that have regiments and an older brigadier general than several of those employed, he prays that he may have a grant of one of the regiments or horse or foot now vacant. [1711.]

Two copies of the above.

JO. HALES and H. CRAUFORD to the LORD TREASURER.

1711-12, January 9th, Royal Hospital, near Chelsea.—Her Majesty having been pleased in the year 1702 to appoint us (the Governor and Lieutenant Governor of the Royal Hospital near Chelsea) to be two of her Commissioners of the said Hospital and being informed your Lordship is pleased to think it necessary that the Commission should have an additional number of Commissioners added thereto, we most humbly move your Lordship that, as we have had the honour to serve in that Commission hitherto with the greatest care and utmost frugality in providing necessaries for the hospital, and hoping we have discharged that trust to the advantage of her Majesty and the satisfaction of your Lordship, we may not be discontinued in the Commission, which being an employment of honour and no profit, we humbly conceive you will be pleased that our names may be inserted therein. We further take leave most humbly to inform you that in the Commission for the management of Greenwich Hospital the Governor and Lieutenant Governor (as such) are included.

RICHARD DANSEY to the Earl of OXFORD.

[1711 ?] Notwithstanding your favour in speaking to General Stewart in my behalf, he tells me he hath disposed of my Company without my consent. Some time ago he offered me 400*l.* which was not above half value. The enclosed [*missing*] can be the only pretense of such usage, which I am humbly of opinion doth not effect me. When I came into the Regiment near thirteen years ago, I bought at full value and I have served faithfully since and have had several losses. The regiment where I am going into is but young and I am only to be lieutenant colonel without a company.

Lieutenant WALTER INNES to the EARL of OXFORD.

1711-12, February 3rd.—Containing proposals for effecting certain economies in the ordering of Her Majesty's Royal Regiment of Foot Guards.

Subscribed. Lieutenant Walter Innes of H.M. Royal Regiment of Foot commanded by the Earl of Orkney: to be found at Madam Hunt's in Charles Street in the Strand. I'm ordered to Harwich to-morrow 4th February and hope to be at London next week in order to satisfy your Lordship.

1711-12, March 22nd, St. James's.—Warrant to the Attorney or the Solicitor General to prepare a Bill to pass the Great Seal granting to George, Earl of Northampton, the office of Constable of the Tower of London during pleasure, with a fee of 1,000*l.* yearly from Lady Day next, reserving full power to the Queen to constitute a lieutenant to act under him, and to execute the office during his absence. A clause is to be inserted for revoking the Queen's Letters Patent granting the office to Earl Rivers. *Signed* Dartmouth. [*Copy.*]

Enclosure. Warrant of Charles II. for a Bill to be made out granting the said office to James, Earl of Northampton, during pleasure, with a fee of 100*l.* yearly, together with all profits, etc., as fully as any constable hath formerly held the same. Windsor Castle, July 16th, 1675. *Signed* H. Coventry. [*Copy.*]

William Steuart to the Earl of Oxford.

1712, April 12th.—They officers of General Steuart's regiment who are great sufferers by part of their pay being stopped for the late Major John Steuart have applied to me to represent their case to your Lordship and their petition with the Duke of Ormond's report thereon having been laid before you do understand you are of opinion they had agreed with the Major at his going out to allow him such part of their pay as is expressed in the petition, which is 10*s*. per day. [They] therefore beg leave to acquaint you, as is inserted in the petition, that, by the Duke of Marlborough's direction, the company was to have continued to the Major for maintaining him under his infirmities, but some time after the regiment took the field in Portugal commanded by Lieutenant Colonel Hussey who influenced Duke Scomberg to place a captain at the head of that company to the Major's prejudice. Of which he being informed and entirely deprived of any subsistence, immediately applied by petition to her Majesty to be restored to his former post or that she would provide for him some other way. She was pleased to order him 10*s*. a day out of the officers' pay, as specified in their petition, till such time as she could other ways provide for him, which she promised to do in a short time. But for want of application (the officers having been abroad on service) this has not been performed, and they having long laboured under that hardship take this opportunity to assure you that notwithstanding the preamble of the warrant I do solemnly affirm there never was any such agreement nor they never knew of any such warrant till produced by the Paymaster in Portugal, when it was thought a very hard case, for which it was adjudged reasonable as well by the general officers as all others of the army that the hardship should always continue on the youngest captain till it could wholly be removed. This hardship will appear greater to you when your Lordship considers that a captain in the regiment must be obliged to live on a lieutenant's pay and a poor ensign forced to purchase regimental clothes to keep company with gentlemen and do his duty on sergeant's pay. Therefore, I hope your Lordship will think those poor officers worthy your compassion and relieve them by making provision for the late Major John Steuart according to the prayer of their petition and the Duke of Ormond's report now lying before you.

Memorial of Major George Robinson, Lieutenants Harrison, Gatford, and Finley, Cornets Stratford and Tassell, and Quartermasters Battle and Bunyan.

On 25th June, 1711, a body of troops was detached from the army under the command of Lieutenant General Hompech, whereof a squadron of Lieutenant General Palmes's regiment was one, which the said Major Robinson had the honour to command, he having a troop in the squadron. On 1st July they were surprised by 40 squadrons of the enemy by whom the Major had the misfortune to be taken prisoner, where he and all the above-mentioned officers lost all their horses, equipages, and clothes (being all of them stripped naked) in all amounting to a considerable value whereby they are rendered uncapable of providing themselves a proper equipage to take the field without some consideration for this great loss, which they hope their long service and sufferings may entitle them to.

Endorsed by Oxford. Received April 4th, from the Duke of Ormond.

THOMAS STEPHENS, Town Clerk of Gloucester, to the EARL of OXFORD.

1712, April 21st, Gloucester.—I humbly beg leave to lay the enclosed papers before your Lordship, by which you will perceive that the Mayor of Gloucester and Alderman Payne have given a plain and full answer to every particular thing charged against them in the complaint, as well as to every thing charged against them in general terms that they can either think or imagine, and the same is confirmed by the Informations annexed to the Answer left with the Clerk of the Council, both which have been shewn to the Duke of Beaufort. They only desire that, if there be any other particular thing charged against them in any of the complainants' Informations, they may have the liberty of giving an answer to it. Whether his Grace will pursue it any farther on Thursday next or not they don't know, for perhaps his Grace may consider whether it will be for his honour to be thus pressed on by 2 or 3 warm men of this Corporation when he may have the respect and honour of the whole as her Majesty has appointed him their Lord-Lieutenant, but this rough treatment at first cannot but grate upon them. If your Lordship will so far concern yourself in this affair as to procure them an opportunity to give an answer to any further matter alleged against them, you will lay such an infinite obligation on this Corporation that I am sure you may influence them for the future in anything that you shall think will be for the Queen's service. I beg pardon for giving you this trouble (whose time is so much better taken up) but I really think it may be for your service. If you signify your commands to your good brother Mr. Auditor Harley, my brother of the Victualling Office, who often visits him, will communicate them to me and they shall be punctually obeyed; and, if your lordship give me leave to wait on you, when in Town, I will give you a true light into all matters relating to this Corporation.

P.S.—There is a report that this matter is referred to a Committee of the Council.

[*Enclosures.*]

The Commissioners for Recruiting Land Forces and Marines for 1711 in the city of Gloucester, to John, Duke of Buckinghamshire, president, and the rest of the Privy Council.

1711-12, February 27th.—After receipt of his letter to them to be vigorous in the execution of the Acts, they met and issued warrants to the constables to bring all persons within the Acts before them at a time and place specified. At which time and place they met expecting that several idle vagabonds and others within the description of the said Acts should have been brought before them to be impressed, but found their intentions defeated by Samuel Hayward esquire, present mayor of the city, one of the Commissioners during office, who owned at the meeting that he, singly, had discharged men taken up by the constables, without ordering them to be brought before any other of the Commissioners. One George Ireland a person so discharged, was afterwards before three Commissioners, judged to be within the Acts, and was turned over accordingly. Thereupon they held more frequent meetings and gave strict orders to the constables to be diligent in the execution of their office, but found the mayor and other aldermen of the city very busy and active to defeat their design. At one meeting, when enquiry was made of one Medway, a constable, what was become of an impressed man in his custody he answered that he was discharged by the mayor and common council, of whom none present had qualified themselves to act as commissioners except the mayor, Mr. Caple Payne, alderman of the city, mayor of Gloucester for the past year, who so qualified himself to act as Commissioner of Land Tax but is now out of office of mayor and no longer Commissioner of Land Tax and never qualified as a justice of the peace to act as a Commissioner of the Acts for Recruiting, appeared at one of their meetings and took upon him to act as a Commissioner questioning and admonishing the Constables and did very indecently affront one or more of the Commissioners in the execution of their office. Also when one Christopher Hayes junior was brought before him as a deserter the said Caple, glancing at a paper which Christopher shewed, told him he was discharged, though complainants are satisfied by a letter from Captain Carewhatt Hall that Hayes is a deserter.

Signed by John Singleton and seven others.

[*Copy.*]

The answer of Hayward and Payne to the Queen.

1712, April 8th.—On receipt of the letter from the Privy Council for putting the Act in execution, the Commissioners met at the Tolsey and issued a warrant for apprehending the persons within the Act. Caple Payne being mayor the year before qualified himself to act as a Commissioner of the Land Tax and, being a J.P. for the city and county, acted as a commissioner for raising men for Her Majesty's service, with all the vigour in his power, insomuch that he has been often clamoured at by the complainant John Singleton for sending men into service before he was a Commissioner. Touching the complaint against him for discharging one Christopher Hayes; Hayes was about seven or eight weeks since complained of to him, as justice of the peace, for taking up men on pretence of listing them, without authority, and being examined by him, was found to be a trooper in General Caduggan's regiment of Horse. Singleton affirmed that he was a deserter, when he produced a discharge from his foot officer and a furlough from his officer in the Horse. Caple thereupon told him that he had nothing farther to say to him but Singleton ordered him to be again taken up and brought before him, the complainant John Collett and one Abraham Rushall, another commissioner for the said city and took a recognisance for his appearance at the Tolsey the Tuesday following, though none of the said commissioners were justices of the peace, before which day he went away to his troop where he now is in your Majesty's service.

As to the discharge of George Ireland, Hayward says that when Ireland was brought before him to be listed it was alleged that he was an apprentice to Josias Hayes. This not being denied Hayward was obliged to dismiss him; he has since been taken up by complainants and is in gaol in Gloucester Castle, but his master will dispute the legality of his commitment.

As to the person discharged out of Medway's custody:—this person was not brought before Hayward by warrant but as suspected of having committed a crime, being flush of money and squandering it, and a woman having been found in her house murdered and robbed near the city, on a Sunday as Hayward was going to church, he ordered him to continue in custody until the next day, when finding nothing against him he discharged him on that account, but it being alleged that he was listed by a sergeant of Lieutenant Pascall's regiment, he sent for Pascall who told him he had indeed listed him on Sunday for a drummer (being a little man) but he would not give 6*d.* for him. So he was dismissed.

As to the complaint of his discharging men taken up by constables without ordering them to be brought before the Commissioners, Hayward cannot imagine to what this relates unless it be to the discharge of Ireland and the dismissing of one Lewis Lewis, William Dunn and Merideth. The said Lewis was brought to his house to be impressed but, finding him to be undersized and servant to a townsman, he dismissed him. Some of the commissioners having taken exception to this he ordered him to be taken up again and brought before three commissioners, who immediately discharged him. Dunn was found to be a freeman's son and apprentice to Thomas Cowles, it being said that Cowles was gone off, Hayward sent for two other commissioners who not coming the constables took Dunn away to secure him until the next meeting of the commissioners but they let him go on to Thomas Swanie with whom he had lived for two years and he is now apprentice to Swanie.

Merideth, who was a tailor of Monmouth, was examined before him and two other justices of the peace, and as such commissioners for recruits ; he was found to be much afflicted with the king's evil. He produced a certificate that he was a freeman of Monmouth and as such had a right to vote for members of Parliament, wherefore they adjudged him unfit for service.

They utterly deny the charges against them and cannot conceive why this complaint has been laid before Her Majesty unless it be because Payne three or four years since was concerned in prosecuting some of the complainants for drinking a health to the pretended Prince of Wales by the name of James the Third, King of England, which prosecution was discharged by the Act of Indemnity after an indictment had been found against them at Gloucester Assizes, and in prosecuting the others and Gregory Nicholls, son of one of them for riot about three years ago in the said city of which they were convicted in the Queen's Bench ; and because Hayward was foreman of the Grand Jury who found the bill of indictment.

[*Copy.*]

William Gordon to the Earl of Oxford.

1712, May 1st, Fort William.—Lieutenant General Maitland having obtained Her Majesty's leave to be absent for some time from this place and the command thereby devolving upon me, I thought myself obliged in duty to acquaint your Lordship therewith and assure you of my hearty readiness to receive and obey your orders when I shall be honoured with them. As the Lieutenant General has left this country in a perfect tranquility so I shall not be wanting in my endeavours to preserve it so, and from time to time to acquaint you with anything that passes here worth notice. My Lord, the Parliament having reduced the Contingent List, I should not want my fears of suffering thereby were I not assured that that same generous concern you was pleased to shew upon the occasion of the late hardship was put upon [me] in this regiment notwithstanding of 23 years' service therein, the loss of one arm and other wounds received in that time, is still both able and willing to support me in the character I have here of lieutenant governor and in the appointment annexed to it on the Contingent Fund. I am the more encouraged to insist on this, that I am persuaded that Her Majesty and her Council too, if the circumstances of this place, vizt. its remoteness from all other garrisons, and the nature of the adjacent countries be rightly represented to them, Her Majesty will find an officer of this character as necessary for her service here as in any other of her garrisons.

Holograph.]

THE SAME to THE SAME.

1712, August 20th, Fort William.—The generous concern your Lordship was pleased to express to me when I received your commands for this place for the hardship was then put upon me in Brigadier Breton's regiment and the readiness which you shewed to procure me some redress by giving me a commission as lieutenant governor of this place, promising me at the same time your favour and protection, is now all I have to trust to. To this then I now fly, being threatened with having my commission of lieutenant governor in this place superseded by a letter from the Secretary at War of the 7th current. I say threatened, because by the conception of the letter and the commission I have not being upon the Establishment of the Guards and Garrisons I am still in doubt whether I am meant by it. I humbly therefore beg that your Lordship from your wonted and known regard for all her Majesty's faithful servants would prevent the utter ruin of one who has served her with an inviolable fidelity these 24 years and lost in her service the use of his right arm, besides other wounds, by preserving to me this commission I had by your favour; or, if this cannot be done, by continuing to me my pension on the Contingent Funds until provided for some other way.

[*Holograph.*]

Docketed by Oxford. Received August 29th.

LORD CASTLETON to the EARL of OXFORD.

1712, June 4th.—I do not pretend of deserving any favour from your Lordship but your own goodness and charity will pardon this address of mine in the behalf of Lieutenant Colonel Frankland who was a captain in my regiment of foot, my neighbour, and a gentleman whom I ever had a great value for. Lord Cardamont in Ireland was his colonel, succeeded by Colonel Allnat who was wounded in storming Barcelona and died of his wounds at London. Frankland was then commanded with the regiment into the West Indies under Lieutenant General Wills, who gives him the character he deserves, and at his return into Spain he was at the battle of Almanza taken prisoner and was two years a prisoner in France. His courage and conduct never wanted merit but money and friends. At his return into England he found the Earl of Ilay to be his colonel, and now Colonel Bisley commands the regiment. He keeps his commission as lieutenant colonel and is vigorous in health and strength though he doth no duty for the subaltern officers give him his full pay as lieutenant colonel which is deducted out of their pay. As his friend I wish you would speak or write to Colonel Bisley to command him to his post again that the subalterns may have their full pay. In short, my lord, I do not understand their kindness to ease him of trouble.

P.S.—My desire is that he may be reestated to what he was or that they shall be punctual to the agreement they have made with him. He is a very ill solicitor though a very good and careful soldier.

Daniel Carroll to [the Earl of Oxford.]

1712, June 16th, Monday.—Having been lately presented by General Echlen to your Lordship, being ambitious to be known to you being sensible I was under your displeasure by false information my lieutenant colonel gave the Government against me, I being acquitted with honour of the scandalous allegations by a court of general officers appointed for that purpose, and my lieutenant colonel made unworthy Her Majesty's service, I hope your Lordship will receive me into your protection which I will endeavour to merit and acquit myself with honour in the employments which His Majesty was pleased to bestow upon me.

Thomas Pitt to the Same.

1712, June 29th, Sunday.—Being very sensible of the multitude of business that always attends your Lordship I have presumed by this address to put you in mind of what Messrs. Webb, Carpenter and self requested of you to speak to the Queen for her leave that my son may succeed Mr. Carpenter in the regiment he has. He served here under General Steuart, and afterwards captain of dragoons in Spain and in all the actions there, except Almanza, to the time he was taken at Brehuza, and for his character it will be better to come from others than me. He brought a letter for Her Majesty from the Empress, which I think you told me you had seen. I beg your favour in this matter to speak to the Queen that so it may not be depending, and that you will pardon me for this trouble.

General Ch. Rosse to the Earl of Oxford.

1712, July 2nd, N.S. Camp at Chateau Cambrecy.—I have been most unwilling to give trouble in what relates only to myself at a time when your Lordship is so much taken up with affairs of the greatest consequence but I cannot now avoid humbly to lay before you the hardships I think I lie under since in less than four months the Queen has been pleased to dispose of the chief military employments of the three nations without the least regard to my pretensions; and most of them to officers younger in rank in the army than myself. It was no small addition to my concern to find that when the French offered to deliver Dunkirk to the Queen the Earl of Orkney was ordered to take possession of it, which is a step that may entitle him to the government of it. It is true that General Lumley and Mr. Withers are elder officers than I but they are already provided with governments, which I did believe would have been favourable for me, I hope your Lordship will receive this as only reminding you of an humble servant, who would be sorry to be forgot by his absence when in the Queen's service.

I shall not presume to trouble you with my poor thoughts on the late transactions here, but do assure your Lordship that when it is a proper time I shall easily shew that I have acted as became a faithful servant to the Queen.

Docketed by Oxford. General Rosse. July 2nd, 1712. Received July 1st, ten days.

General Rooke to the Earl of Oxford.

1712, July 28th, Thistleworth.—I was much surprised yesterday when I saw my regiment in the list of those ordered to be broke and ten younger regiments continued but as I fancy this must have been done through mistake I acquaint your Lordship thereof and beg your protection that I who am one of the oldest Major Generals, after thirty-five years' service, may not be pointed at as a particular mark of Her Majesty's displeasure. I hope my own services deserve a better reward but when I join to them the services of my family I persuade myself the merits of Sir George Rooke will plead effectually in my behalf and screen me from this injustice. You are my only refuge and my regiment will certainly suffer unless your lordship interposes. It is therefore that I send my Major to wait on you with this, once more begging your Lordship's protection.

H. Rooke.

R. Rich to the Earl of Oxford.

1712, September 10th, London.—Your great goodness in honouring me so far as to ask if I had any request to you makes me venture to beg that I may have the regiment formerly Lieutenant General Tittcombe's. I hope you won't think my request unreasonable since I have suffered in the Queen's service and the regiment I now have I bought and it is ordered to be broke.

Walter Hamilton, Esquire. Petition to the Queen shewing that he commanded the company of Grenadiers and was eldest captain in the regiment of Sir Timothy Thornhill sent in the beginning of the year 1689 from Barbados to the assistance of the Leeward Islands. Soon after he served in descents made on the islands of St. Martin's and St. Bartholomew's, and, in 1690, in the reduction of the islands of St. Christophers and St. Eustatia; and later in descents on the islands of Martinique and Guardaloope and all other actions against the French Caribbean Islands throughout the former and the present war. And particularly in May 1702, being appointed Major General of the Forces in the Leeward Islands, in the beginning of the present war, he commanded in chief the forces which reduced the Island of St. Christophers in July following.

In 1703 he was appointed Lieutenant Governor of the Island of St. Christophers and defended and preserved the same when attacked by the French in 1705 with six times the number of men which he had to oppose them with.

In 1706 he was appointed Lieutenant Governor of the Island of Nevis and by commission bearing date 25 February, 1709-10, Lieutenant General of the Leeward Islands, and Commander in Chief in case of the death or absence of the Captain General and the said chief government devolved upon him in December, 1710, by the unhappy murder of the late Colonel Parker, on which he immediately repaired to the Island of Antigua and convened a general council and assembly of the Leeward Islands and with their assistance proceeded in the examination of that barbarous fact and took the most proper methods to quiet the commotions raised on that occasion and cement the several Leeward Islands then daily threatened, as some of them afterwards actually were attacked, by their enemies. Of all which the accounts at large have been transmitted to the Lords Commissioners for Trade and Plantation.

On the arrival in July 1711 of Walter Douglas, esquire, Her Majesty's Captain General, petitioner fully acquainted him with the inquiries made relating to the death of Colonel Parker and offered what appeared to him more proper to be done in pursuance of Her Majesty's instructions and for some time the said Colonel Douglasse made great professions of friendship though at the time endeavouring underhand by most indirect and wicked practices to obtain in the Island of Antigua and other Leeward Islands certificates that petitioner had confederated in and countenanced the proceedings and insurrection against Colonel Parker. This conduct was occasioned by petitioner's refusal to concur with or connive at Douglasse's unjust proceedings, contrary to Her Majesty's instructions and inclinations, relating to the inhabitants of Antigua whom he hath oppressed in the most grievous manner extorting great sums of money, plate and other valuables, and bonds to almost the utter undoing and impoverishment of that Colony.

Instead of issuing Her Majesty's pardon, excepting not less than three and not exceeding six, of the most criminal, Colonel Douglas, from his arrival in July 1711 to February following, delayed issuing the same and did in that time compel most of the inhabitants to give him great sums of money, threatening in case of refusal that they should be of the six excepted and prosecuted with the utmost severity. He also stipulated for a very great sum to be paid by the island in general for his grace and favour and got bonds for payment of the same from the more wealthy inhabitants, and by such methods hopes soon to be master of an estate sufficient for the dignity of a baronet for which he hath lately made application.

Douglas failing in his endeavour to obtain certificates against petitioner, in January 1711-12 suspended him from his post of Lieutenant Governor of the Leeward Islands, Lieutenant Governor of the Island of Nevis and all other posts and commands in the Islands and caused the same to be proclaimed and fixed up at Taverne doors in the several Islands; and appointed one Colonel Smith Lieutenant Governor of Nevis without exhibiting any accusation against petitioner or acquainting him with the reasons of such suspension, contrary to Her Majesty's express instructions in favour even of the meanest officers who have their commissions from her.

By this usage petitioner has been forced to leave his family and come to England for his justification and having in his passage been taken prisoner and carried into France, his expense and damage has been considerably increased.

Is ready to make appear the practices of Colonel Douglas by certificates of the particular councils and assemblies of the several Islands and the General Council and Assembly of all the Islands and by several eminent merchants and gentlemen now in London. He has had the character of an honest man for twenty-three years and has faithfully discharged his duty in the posts and stations in which he has served. He prays that the agents of Colonel Douglas be directed to lay before Her Majesty the charges against him; and reparation be made for the injustice done him; also that his suspension be declared null and void.

Endorsed by Oxford. Received September 13th, 1712.

General William Steuart to the Lord Treasurer.

1712, September 30th, Dublin.—I have not for some time taken the liberty of troubling your Lordship. I formerly took the freedom of recommending my nephew Brigadier Steuart to your favour and protection which you were pleased to promise him and accordingly recommended him to the Duke of Ormond, but his Grace being removed from the government of Ireland before an opportunity offered to provide for him here, I beg you will continue your favour to him by recommending him to the Duke of Shrewsbury for the first regiment that happens vacant here, to which his long and faithful service gives him a just pretence. He has had commissions of Colonel and Brigadier a long time to preserve his rank in the army and is still only Lieutenant Colonel. His steady adherence to the church and constitution stood in his way with the late governing party so that he could hope for nothing more than bare commissions to preserve his rank and even that was obtained with difficulty, I beg pardon for troubling you a second time about him. Were I not well assured he would support the Queen, your Lordship and the present ministry to the last drop of his blood I would not speak for him.

Docketed by Oxford. Received October 14th.

CHELSEA HOSPITAL.

In January 1681 King Charles II. did earnestly press the Treasury to build an Hospital for superannuated soldiers of which there was many in his Guards at that time that begged their bread; but, being answered by the Lords of the Treasury, of which the late Earl of Rochester was first in commission, that his affairs at the Exchequer would admit of no additional charge, he commanded Sir Stephen Fox to assist him in the design of providing for the said soldiers, who did so effectually comply with his Majesty's desire that he purchased the ground upon which Chelsea College stood and gave it for the building of an hospital. The payment of the Guards being at that time under contract with Sir Stephen Fox for 12*d.* out of each pound, he, for a fund, gave up one third part thereof, being at that time 3666*l.* 13*s.* 4*d.* *per annum*, which fund as the forces increased went a great way towards the building of that noble fabric. But before Sir Christopher Wren would venture to make contracts for so great an undertaking Sir Stephen Fox was obliged to promise that the contracts should be punctually paid which made him be out of purse above 6000*l.*, for which he never took interest because it was a charity. The building went on so expeditiously that in four years it was quite covered and at the beginning of February 1684 the king was glad to see it and said to the company with him on the place that Fox and he had done that great work without the help of the Treasury who indeed never gave the least countenance towards it, for it was carried on by His Majesty giving out of his privy purse (at that time but 16,000*l.* a year) in remote tallies on the Hearth Money 7,000*l.* with interest due thereon: and Sir Stephen's fund of 4*d.* in the pound, for three years, did amount to 10,000*l.*, and his carrying on the punctual payments was not less than 2,000*l.* which he paid for interest.

The whole assistance given according to what was formerly given in to the Commissioners of Accounts is as follows:—

By His Majesty's principal and interest on the Hearth Money tallies	8,700*l.*
Fund resigned by Sir Stephen Fox for three years	10,000*l.*
Ground purchased	1,300*l.*
Materials for the building	530*l.*
Interest on money advanced	2,000*l.*
Besides what was given by Doctor Sancroft late Archbishop of Canterbury, being ...	1,000*l.*
The present Earl of Thanet	500*l.*
The late Bishop of Winchester, Dr. Morley...	500*l.*
Mr. Tobias Rustat, the statue	1,000*l.*
The late Earl of Craven, only 20 guineas ...	21*l.* 10*s.*
The late Earl of Ranelagh, the painting in the Hall, about	1,000*l.*
	26,551*l.* 10*s.*

Which was all the help given towards the Hospital, but when King James came to the Crown, the Forces were raised to above double the number of what were in his brother's time so that there was a deduction of about 12,000*l.* a year out of the pay of the Forces upon which fund Sir Stephen Fox and Sir Christopher Wren did settle the establishment for the maintenance of about 500 soldiers besides the officers. All this without help from the Civil List money as was promised to the then Treasury by King Charles II. and Sir Stephen Fox, which was punctually observed in the time he continued paymaster and succeeded by his son, who was put out by King James. It was also observed by the late Earl of Ranelagh but broke by the present Paymaster who hath got himself a salary out of the Exchequer by which means he governs independently of the Commissioners that are joined in commission with him and, without them, turned out the steward Hen. Powell without any fault alleged, who was employed from the beginning, and brought in a person of his own choice. Chiswick. October 22nd, 1712. Ste. Fox.

Docketed by Oxford. A state relating to building the Royal Hospital at Chelsea. Received from Sir Ste. Fox. 22nd Oct., 1712.

Colonel RICHARD KING to [the EARL of OXFORD.]

1712, November 3rd.—Your Lordship laid your commands on me to remind you of what you were pleased to promise for my expedition to Dunkirk and my extraordinary expenses to Gibraltar. I'm constrained to do it in this way being indeed unhappily prevented of any other by a violent rheumatism which has confined me for some time.

Mr. Brinsden who will deliver this will bring me what directions you will be pleased to give in this affair.

Marquis DE MIREMONT to the EARL of OXFORD.

1712, November 29th, La Haye.—Has learned with extreme joy that the attempt against Oxford's person has been so fortunately discovered and congratulates him heartily. Did not write to his Lordship and send him the Memorial which he presented to the Protestant Plenipotentiaries not wishing to misuse his Lordship's time and counting it the same thing to send it to Lord Dartmouth. Prays his Lordship will examine it: and let him know whether he should return to London or remain here.

[*French.*]

MEMORANDUMS relating to Lieutenant Colonel EDMUND TURNER.

When he had a company in the Foot Guards in Spain, the now Colonel Montague was an ensign in the Corps.

Colonel Montague's commission (as colonel) was dated 15th November, 1711.

Upon Lieutenant Colonel Turner's application (by petition to Her Majesty), it was referred to the general officers; who reported the justice of his pretensions.

A commission as Colonel is ordered for Turner and what he requests is that the commission may be of the same date as Colonel Montague's (if not sooner). [1712.]

Sir HENRY BELASYSE. Memorial. Her Majesty having been pleased to grant him a commission to be governor of Berwick bearing but a late date, in consideration to the distance of the place, and that his general acquaintance with the nobility and gentry of North Britain who all pass through Berwick on their way to and from Edinburgh will render his government very expensive to him, prays Oxford to direct that he may have the pay as governor from the time of the decease of his predecessor to the date of his commission. [1712.]

Lieutenant General ECHLYN. Memorial. Has been an officer in the service ever since 1782 (*sic*) and lieutenant general since 1702 at which time he was placed upon brigadier's pay in Ireland and continued there until 1708, when the Earl of Wharton, then Lord Lieutenant, struck him off the establishment and he has received no pay as general officer since. Upon the late happy change of Ministry, he put himself to great expenses to get into the House of Commons upon the view only of doing service to the common cause, and last summer was at a further charge in going for Ireland to attend the service of the Parliament there, by his Lordship's orders, which if he had not done the Duke of Ormond would have met with the utmost difficulties, if not forced to dissolve Parliament, and no money would have been given to support the establishment of the forces in that kingdom.

After such long and signal services to his country and steady adherence to the Queen and Church which rendered him obnoxious to the late ministry and subjected him to their persecutions, finds to his surprise Lieutenant General Webb, a much younger officer, put over his head here, and Major General Whetham in Scotland who was but lieutenant of Foot when Echlyn was colonel of Horse.

Humbly prays he may have justice done him or leave to dispose of his regiment to enable him to retire for the rest of his life from public service which such usage will make the world believe he is thought unworthy to be continued in. [1712.]

Colonel JOHN CAVALIER. Petition to the Queen, shewing that he commanded a regiment which was all either cut to pieces or taken prisoner at the fatal battle of Almanza where he received several wounds, and was for a while left as dead among the slain. Lost all he had and was at vast charges and expenses to get himself cured of his wounds. Has waited three years in hopes to have his regiment re-established or to get another, as other colonels under the same sad circumstances have had, but as yet has got nothing although about four months ago by Her Majesty's orders he was commanded to give Mr. Secretary St. John a list of the names of the officers designed for the said regiment, which was done. Prays that his regiment may be re-established or he may leave to raise a new one. [1712.]

Brigadier General Humphrey Gore. Memorial. Was with a regiment Brigadier on the Spanish Establishment since 1709 but has been since reduced by Her Majesty's order. There being two regiments now vacant by the death of Lieutenant General Farrington and Brigadier Durell (in pursuance of her order for that purpose) he has petitioned the Queen to give him one of the said regiments or any other becoming vacant; he being the eldest Brigadier of Foot unprovided for. Desires Oxford's favour herein. [1712.]

The officers of Colonel Cavalier's late Regiment, acquaint the Lord High Treasurer that, after all their pains and trouble these two years and upwards to be placed on the Establishment of Ireland, according to the post they served in the army, the report is at last come back and lies now in Mr. Taylor's hands to be laid before his Lordship. They beseech him to order the warrant upon the credit whereof they have preserved from starving. January 28th, 1712-13.

Marquis de Miremont to the Earl of Oxford.

1713, $\frac{\text{January 31.}}{\text{February 10.}}$ Utrecht.—Milord. Comme vous me fites l'honneur de me dire avant de partir de Londres que Sa Majesté me donneroit la commission de general d'infanterie selon mon rang et la pension que j'avais demandee pour le present n'entendant plus parler de rien vous voules bien me permettre, Milord, de vous en faire souvenir et vous representer tres humblement que la situation ou je me trouve est la plus amère qui ce puisse imaginer et que j'endure depuis sy long temps. Les chefs du ministere passé, n'aimant pas la droiture dont j'ay toujours fait profession j'ay esté persuade que cetoit la raison pour laquelle on me fésoit toutes les injustices du monde, mais a present, Milord, que sa Majesté a des ministres qui ne la luy deguisent pas et qui ce font un veritable honneur d'estre equitables en toutes choses je ne puis attribuer la continuation de mon mechant estat qu' aux grandes afaires de l'Europe qui vous occupent entierement et avec raison, j'espere nonobstant cela, Milord, que vous trouverres bon que je prene la liberté de vous demander a quoy je dois m'attandre, restant pas a mon pouvoir de demeurer plus longtemps dans l'incertitude et estant mesme honteux de soliciter ce que tant de personnes ont obtenu si facillement. Pour vous donner, Milord, une brieue idee de ce que m'a esté fait depuis le reigne de la

Reine j'avois pendant la vie du feu Roy un pention de deux mille pieces dont il m'en est reste du trois quartiers a sa mort. La guerre recommaneent je devois servir de lieutenant general comme Mr. Meurchis et ensuite de mesme de general de l'infanterie, estant mon rang, sans nulle difficulté et sans grace. Je devois avoir aussy un regiment comme tous les autres generaux. Vous scavez, Milord, a quoy monte toutes les payees par an et ce que cest quant on n'a rien ; ce qui m'a este encore de plus sensible c'est de m'avoir este les moyens de faire connoistre le zele et l'aplication que j'ay tousjours eu pour remplir les emplois dont j'estois honoré. Car un homme qui ce trouve dans des postes aussy advances, qui est estranger, et qui n'a nulle fortune, cest luy faire le tort le plus grand et le plus sensible qui puisse luy estre fait, surtout lorsqu'il a eu le bonheur de rendre des services tres essentiels comme il a toujours paru malgre toutes les impostures que certaines personnes ont osé vouloir insinuer a sa Majeste et au public. J'aurois bien d' autre justes griefs qui seroient trop longs a deduire et qui m'ont donné bien des ennuis. Il est inouy que me trouvant comme a la teste du refuge et n'ayant jamais manque a rien de ce qu'on pouvoit attendre de moy je me sois trouve reduita un estat aussy facheux qu'est le mien de quoy j'ose dire qu'il seroit malaisé de trouver d'exemple. J'espere donc, Milord, de vostre vertu et bonte que vous voudres bien y faire attention et se representer de telle maniere a sa Majesté que touchee du tort qui m'a esté fait et de la justice de mes demendes j'obtienne de la generosité royale les graces que j'ay sujet d'en esperer, ayant l'honneur, Milord, de parler a un des hommes du monde qui a les sentiments les plus grands et les plus justes, il entrera volontiers dans ceux d'un autre qui n'a rien a se reprocher par son zele et par sa droiture pour le service de sa Majesté. Mon sejour icy en est encore une preuve, Milord, car je vois depuis longtemps que les affaires qui m'ont fait venir n'iront pas a grand chose mais j'ay cru que, si je m'en retournois a Londre dans tous les temps si brouillies et ou l'on ne demendoit pas mieux que charger l'Engleterre cel a ne peut faire tort a la gloire de sa Majesté et en particulier a la vostre. C'est en verite la seule raison qui m'a retenu icy. Je ne scaurois donc finir cette lettre, Milord, sans vous supplier avec toutes les instances possibles de faire reflexion que, si la Reine ne donne avant la conclusion de la paix quelque forte marque de la part qu'elle prend a la religion, c'est ouvrir la porte a la persecution et n'estre plus en estat a l'advenir d'y apporter aucun remede, et affaiblir a qui la rend si redoutable aux catholiques romains et si cherie des protestans.

Docketed by Oxford. Feb. 10th, 1712-13. Received Feb. 4th.

J. WYNDHAM to THOMAS HARLEY, Esquire.

1712-13, March 11th, Whitehall.—In answer to your letter of the 5th instant concerning the thirty sergeants sent to America

with lieutenants' commissions and on ensigns' pay, I send this to acquaint you that I have already proposed by my memorial to My Lord Treasurer, dated the 4th instant, the posting them as officers-en-second to the companies at New York, Annapolis and Placentia and to serve therewith upon half-pay from Christmas last, to which they will be intitled by virtue of their commissions and establishment, although they should be ordered home. I am therefore to desire you will remind My Lord Treasurer of the said Memorial, as also of another dated the 12th of February last concerning the soldiers of the Newfoundland Company, in which matters Her Majesty's service requires some speedy orders to be given.

[Lieutenant General J. Webb] to [the Earl of Oxford.] 1712-13, March 16th.—My indisposition occasioned my keeping house near twenty days, after which for the benefit of the air [I] went into the country for a few more where to my great satisfaction [I] found the Kentish gentlemen well inclined to your Lordship but was surprised at my return to see such a change in the city where many who before were well inclined publicly complained against (as they call him) the ill-chosen manager of the Trade. I hear there has been an Association Instrument sent over here from the other side which has been in the most private manner handed about and signed by the great ones of the other Party and with which the person that brought it is again returned, the particulars whereof I hope you have been by some other informed of but if not I will use my endeavours [to get what] account of I can and acquaint you therewith.

I am informed that Mr. Brydges designs to lay down his place, which, if true, of course will make a change in the Paymaster's place of Gibraltar, who is his deputy there, for which or any other thing your Lordship shall think fit I with humble submission make a tender of my service.

[*Signature torn off.*]

Catherine Waters to the Earl of Oxford.

1713, April 14th.—Concerning the 30*l.* by the Justices' order was to be equally divided by them that have powers from their husbands, Mr. Sloper has distributed the money to them that had no powers as well as to them that had, and they have received money from the Treasury as well as we though it did not belong to them for when their pretended husbands was here they would not own them for their wives, though they have as much done for them as I have, and they have all friends to maintain them; but for my part I have a great family of small children which are ready to starve, the eldest but 12 years old, and I have had a lame arm this five years and can't get them a 'mossell' of bread. If your Lordship knew my necessity he certainly would relieve me. I earnestly beg Lordship not to leave me to Mr. Brydges office no more for I have no justice done me there, for Mr. Sloper is not a stranger to my poverty for my husband spoke to him before he went away. The 30*l.* divided comes to 3*l.* apiece, which I paid to my landlord that I may keep a bed for my children to lie upon, and I have a year and 3 months' pay due to me. Catherine Waters.

Lieutenant General JOHN WEBB *alias* RICHMOND to [THOMAS HARLEY.]

1713, July 10th.—Encloses his Memorial which he begs Harley will deliver to the Lord Treasurer, making him sensible how much petitioner's income is lessened in time of peace notwithstanding his Lordship's promise to the contrary. The following state shews the difference :—

His regiment in time of war was worth 1,000*l.* a year.
The same in time of peace, in Ireland, 400*l.* a year.
His pay as lieutenant general was 1,733*l.* a year.
The same in time of peace is but 1,387*l.* a year.
Making a total difference of 946*l.* a year.

So if his pension be continued he will only be as he was before the peace. Or if Oxford let him have the Coldstream Regiment, with a pension 500*l.* on the Establishment of Ireland for life, his regiment may be disposed of and the money applied as his Lordship shall think fit. July 10th, 1713.

[*Enclosure.*] His Memorial.

Whereas he had a grant of 1,000*l.* a year out of the Post Office during Her Majesty's life, in consideration of his wounds and services, he being then very ill and weak was prevailed upon to sign a paper that when he accepted of a Government his said pension was to cease, which agreement was contrived to his prejudice and by whom his Lordship is very sensible of. His Lordship having been so good as to assure him that that agreement should in no wise tend to his disadvantage or that his income should be lessened in time of peace, which it is very considerably as he can explain, he hopes his Lordship will direct the payment of his pension either on the English or Irish Establishment and the arrears due thereon.

Docketed by Oxford. Received July 13th, 1713.

Lieutenant General WEBB to the EARL of OXFORD.

1713, September 6th.—When I was last with your Lordship you told me that my affair should be settled and referred me to Mr. Thomas Harley, who gave me the same assurance and that it should be done forthwith: What was proposed as an equivalent to my pension of 1,000*l.* out of the Post Office during the Queen's life was the government of Chelsea College and that to be made up equal to my pension. Relying on your promise and what passed between Mr. Harley and me, I thought it would have been done before my election.

I hope your Lordship is satisfied with my conduct in relation to the members for the Isle of Wight and Ludgershall: I am confident they are all in your interest or they had not been chosen. I being chose in two places there will be room for anybody you shall think proper, and I should be glad to receive your commands that I may make timely application. The only expedient I can at present propose to make me easy and prevent my being re-elected is that you will let me have the Coldstream Regiment of Guards, which may happen to prove one time or other as much for your service as my satisfaction, I being entirely in your interest.

Captain FERDINAND O'CALLAGHAN.—Certificate of Anthony Dwyer, General of the Field Artillery, commissionate colonel and Commander of the laudable regiment of Count Reventlow, that O'Callaghan served in the abovenamed laudable regiment and acquitted himself in all places and occasions in storms, sieges and battles as behoveth a brave, honourable, and trusty officer, but being by many wounds, bruises, and other infirmities rendered incapable of his post and having in due manner requested of me his discharge to return to his own country which I could not nor would refuse him: I request all military and civil magistrates to aid and assist him to pass securely and without molestation. Given in the royal and capital city of Barcelona in Catalonia, March, 1710.

Certificate of James Stanhope that O'Callaghan was a captain in General Ravenclough's regiment belonging to His Imperial Majesty Joseph the First also of Hungary, Bohemia, Croatia, and Sclavonia, King, etc., in Her Majesty of Great Britain's pay in Catalonia, and was so wounded in the service that he was obliged to quit. Given this 15th day of September, 1713.

Certificate of J. Lecann, doctor and director of Her Majesty's Hospital in Catalonia that O'Callaghan was dangerously wounded, under his care, and the climate being so contrary, was obliged to quit the country.

Dated 16th September, 1713.

Copies on one sheet headed His Imperial Majesty Joseph the first, as also of Hungary, Bohemia, Croatia, and Sclavonia, King, etc.

General E. SUTTON to the EARL of OXFORD.

1713, October 24th, Bruges.—His Lordship's promise of protection upon his loss sustained by the death of the Duke of Newcastle causes him to represent the hardship now laid upon him by the alteration of the Establishment in the fire and candle for the garrison of Hull. His pay as governor (which he will always acknowledge to his Lordship's favourable interposition) is less than Plymouth or Portsmouth, where also the perquisites far exceed the small one he only enjoyed by the coal and candle. Has desired Mr. Merrill to lay his petition at his Lordship's feet, with the case of Major Barrett, whose long and faithful services obtained him the esteem and favour of the Duke of Newcastle.

Docketed by Oxford. Received October 23rd.

[CHRISTOPHER, Lord] SLANE to the EARL of OXFORD.

1713, December 8th.—Your Lordship some time ago promised me I should be taken care of. I am informed that General Web is dead, or dying, and if you would give me his regiment I should take it as a very great favour added to the many obligations I already have lain under to you which I shall always acknowledge. You know the hardships I have lain under in being obliged to pay above 2,000*l.* debts contracted on my estate which my pension in Ireland is paying still, so that unless your Lordship give me something whereby to support myself and family I must want bread or go to a prison for getting it, but your goodness and justice is such that I am in no pain as to that matter.

CONTROLLERS of ARMY ACCOUNTS to the EARL of OXFORD.

It appearing that great numbers of soldiers from abroad, especially in Flanders, are already come and many more are coming to get admittance into the Hospital, but barely qualified for such admittance, who might have been continued in their several regiments some years longer had not their commanding officers sent them over with certificates, with a view of supplying their places with picked men out of the disbanded regiments. The unusual numbers which apply for admission at this time of the year, contrary to the customs of former years, confirms us in this opinion, of which we thought it our duty to inform you; and in order to put a stop to this growing evil we take liberty to propose that the Secretary at War should have her Majesty's directions to signify her pleasure to the several Colonels or Commanding Officers that they forbear the like practice for the future. [1713 ?]

The Case of Colonel JOHN HAMILTON.

In 1711 Colonel Walter Corbett having, by reason of age and infirmity, obtained leave to dispose of his company and majority of the third regiment of Footguards, Hamilton who by more than twenty-eight years' service in the regiment had of many years been eldest captain never one hour absent from his command during that whole space, thought he might without the means of money attain his due preferment, whereby Lord William Hay, then but the third captain in the regiment, made purchase of the majority. But now the second lieutenant colonel's commission being long time vacant Hamilton has obtained Her Majesty's commission for the same whereby he is now in his just and due rank in the regiment. [1713.]

Addressed to Robert, Earl of Oxford and Mortimer, Lord High Treasurer of Great Britain.

Lord William Hay, Brigadier General and First Major of Her Majesty's Third Regiment of Guards. Memorial. After more than twenty years' service in the two last wars as captain, lieutenant colonel, and colonel, he was in 1709 promoted to brigadier general. In 1711 Colonel Walter Corbett, first major to the regiment, having by reason of age obtained leave to dispose and several younger captains in the regiment making offer to purchase, he in hopes and assurance of further preferment, by Her Majesty's own allowance, purchased the said majority. Now to his unspeakable surprise and prejudice Colonel John Hamilton, a captain in the regiment, who then declined to purchase, hath unknown to him solicited for and obtained Her Majesty's commission of second lieutenant colonel to the regiment. Prays Oxford to lay his case before Her Majesty in order to his being redressed. [1713 ?]

Colonel John Pocock to the Duke of Ormond. Memorial. He has served the Crown of England nineteen years and suffered in the service, and bought his regiment, which cost him 4,100*l.* Being now reduced is 2,500*l.* out of pocket. Begs Ormond to lay his case before the Queen that he may have some military provision. [1713.]

Lord Mark Kerr, Memorial. Her Majesty having granted him a commission as colonel and captain of the regiment commanded by the late General Farringtone, dated October 7th, 1712, he to his great surprise found that the company was given away about the same time. Having been ever since without a company and having small prospect of getting one for some time, he has applied to the Queen for some consideration, to which she seemed inclined, and he therefore prays Oxford to move her to grant him what consideration his Lordship shall think proper. [1713.]

Colonel Edward Jones. Memorial. Has been an officer in the service more than twenty years, seven as Colonel, in Flanders, the West Indies, and Portugal where his regiment was reduced. Begs Oxford's favour in recommending him to the Queen for one of the regiments now vacant. [1713.]

Robert Trelawney, late commissary of provisions to the castle of St. Philip's of Port Mahon. Petition to the Earl of Oxford. He has already by two petitions laid before his Lordship his services in Spain for eight years past; and the Duke of Argyle having ordered him to address himself to his Lordship for his present petition, he prays he may have the service of collecting the royal revenues of the Island of Minorca. [1713.]

[*Calendar of Treasury Papers*, 1708-1714. *Vol.* CLXXI. *No.* 13.]

Colonel **Richard Frank's** case in answer to False Muster and Mutiny alleged against him.

He purchased his regiment from Lord Paston and went to Portugal where the regiment was. Before leaving England he was detained a considerable time at Falmouth for a packet boat, at which place he found one John Birstall a lieutenant in his regiment detained for debt. In the house where he lodged there lodged also Captain Francis Syce, Dr. John Pattison, and Captain Leonard Veira a Portuguese officer. Two or three days before his departure, being 21 May last, he sitting at dinner, Birstall came to inform him that, through the great expense those gentlemen had been at in coming from London and staying there [they] had spent all their money and that they importuned him to speak to him to own them as gents belonging to him otherwise they could not get to Portugal. Syce an engineer and Pattison a doctor in Her Majesty's service in Spain and Portugal, pressing the necessity of being at their posts, and Veira being a captain in the King of Portugal's service, the Colonel for the benefit of the service was willing to help them. Peter Haslerade, landlord of the house, hearing what was proposed, advised them to get a certificate from Dennis Russell, mayor of Falmouth, to shew to the captain of the Union packet boat, then in harbour there, on which they were to embark. The Colonel wrote a list of the said gents and their servants' names and the mayor certified the same and the captain thereupon transported them to Portugal. The gents were transported as passengers not as recruits for the regiment. The morning after they came to Lisbon one Mr. Bucknall (whom he took for an agent of the packet) asked him what people came over with him and whether he had their names, upon which he pulled out of his pocket the list signed by the mayor as their permit or pass for the packet boat. He then went to the camp near Elvas and about 20 October following, two of his subalterns having misbehaved towards him, he complained to the general (the Earl of Portmore) who appointed a council of war at Estremos to try the two officers: at which court when he made his charge against them to his great surprise he was there charged in person by the accused of the said pretended false muster at Falmouth by bringing over the before named persons, and likewise of mutiny at the head of his own regiment.

1st Objection. Whereupon he objected that the court was convened to try the two officers not to proceed against him and admit the accused to become his accusers which he conceived not to be consistent with the Articles of War.

2nd. Finding the court resolved to proceed against him he further objected that he knew not his accusation nor what defence nor answer to make and prayed time, being told he must prepare for his defence the next morning.

3rd. He objected that the court was not composed of officers qualified to try one of his rank and post in the army, the major part being three foreigners that could not speak the language and captains and captain lieutenants. They nevertheless proceeded against him without giving him time to produce any of his evidences from England or taking notice of anything he said although he offered to make oath of everything.

This being the truth of his case and he having Her Majesty's grace to have it referred to this honourable Board, he hopes he shall make his innocence appear and acquit himself of the aspersions unjustly cast upon him upon being fully heard before so many gentlemen of honour and justice.

—— to [the Earl of Oxford.]

As a northern man who has an old estate of some thousands a year within twelve miles of the place and a much greater estate in Yorkshire and having had the government many years before either of those Dukes the late governors I might reasonably pretend to be governor of Hull but without immodesty I might add that I was several years in the army formerly and commander of that Old Holland Regiment many years which is now under the Duke of Argyll.

I write this only to save your Lordship trouble of talking with me and leave all to your friendship and favour.

[*Unsigned.*]

Chelsea Hospital.

A proposal for preventing frauds in the admission of pensioners and out pensioners. [*Without signature.*]

Memorandum relating to the complaint of Sir Richard Cocks and the other justices of Gloucester against Thomas Hale for rescuing a recruit, ordered to be heard in the Council, that the matter is delayed by defendant's non compliance with an order to bring up depositions taken before Mr. Ireton, Mr. Dowdswell and Mr. Parsons.

OFFICE OF WORKS.

[1702 ?]—William Talman esquire. Petition to the Lord High Treasurer shewing that he did with diligence serve as Comptroller of the Works during the reigns of King William and Queen Mary with their approbation; and that he was the only person in that office turned out to make room for Mr. Vanbrooke, who enjoys a very good place in the Office of Arms. When petitioner was displaced there was due to him 600*l.* for wages, &c., and he is without any pension or allowance which several persons had. He has made, and still is making (by his son who is abroad) the most valuable collection of Books, Prints, Drawings, etc., as is in any one person's hands in Europe, as all the artists in town well know, and he has kept his son abroad this seven years to view the most famous buildings in Italy, etc., prays his Honour to move Her Majesty to restore him to the place of Comptroller of the Works. *Undated.*

Cathedral Church of St. Paul, London.

[1702.]—The State of the Revenue for rebuilding St. Paul's, etc., and an estimate of what will be further wanting for finishing, adorning, and securing the said Cathedral.

The Revenue is part of a duty on Coals granted for 16 years from Michaelmas 1700.

The whole duty is 12*d.* per chaldron and one year with another may amount to ...	16,500*l.* per annum
Whereof one sixth is appropriated to the repair of Westminster Abbey, vizt. ...	2,750*l.*
Remains	13,750*l.*
Out of which remainder 3,000*l.* is payable in four years to St. Thomas's Church in Southwark, vizt.	750*l.*
Rests	13,000*l.*
One fifth of this residue is applicable to perfecting the parochial churches of London, vizt.	2,600*l.*
So that there remains for St. Paul's for the first 4 of the 16 years only	10,400*l.* per annum
Whereto adding four-fifths of 750*l.*, vizt.... which will be all the increase after discharging St. Thomas's, because the other one-fifth is for the parochial churches and little enough for that purpose.	600*l.*
The income for St. Paul's during the last twelve of the sixteen years may be ...	11,000*l.* per annum
Which income has these debts upon it, vizt.	
At interest	35,000*l.*
To workmen and for materials about ...	8,300*l.*

The paying off which last debt ought not in prudence to be delayed, for when tradesmen cannot depend on punctual payments they are apt to be arbitrary both in their prices and performances. Therefore that it may be quickly paid that a proper credit may be kept up and that the building may be carried on to the best advantage and on the easiest terms as has been hitherto, the proposal is :—

To apply to the said workmen's debt out of the first income of the duty	3,300*l.*
And that the remainder of it be taken up at interest, vizt.	5,000*l.*
Whereby the debt at interest will be ...	40,000*l.*
Which at 5 per cent. is	2,000*l.* per annum

Now, that the building may not immediately stand still whereby (in its present naked state) it would be liable to many and great decays, damages, and defacings, it is proposed that this debt at interest be carried to that latter part of the sixteen years, whereof 4½ years being little enough to allow for the payment of it, and as much as will probably arise in another half year going towards the debt to workmen, there are five years of the term without other account to the church than paying off its present debts. And the first year being expired and the income laid out upon the fabric, there remain but ten of the sixteen years for a further computation which is as follows, vizt. ...

Interest money is	2,000*l.* per annum
Scaffolding and sheds, salaries to officers and clerks, labourers' wages, repairing ways and cranes in the Isle of Portland (whose quarries are of so great importance to this and other public works), with other incident charges, may be equal to	1,800*l.*

From which this scheme results :—

	Income per annum as before computed.	Interest money and other charges per annum as obove.	Remains per annum to carry on the building.
2½ years	10,400*l.*	3,800*l.*	6,600*l.*
7½ years	11,000*l.*	3,800*l.*	7,200*l.*
2½ years at 6,600*l.* per annum.			16,500*l.*
7½ years at 7,200*l.*			54,000*l.*

So that all that can be expected from the present duty, for carrying on the fabric is ... ... 70,500*l.*

Which being but payable in ten and a half years, it is worth in ready money only 50,000*l.* And that all this sum be laid out in one year may perhaps be best for the church and prevent a great deal of expense that a dilatory proceeding causes, but thus laying it out is only to be supposed in case a necessary supply be obtained to carry on the building afterwards. For to complete the fabric, to purchase and remove the houses that adjoin to and endanger it, and to perfect everything that is proper for the ornament and safety of so magnificent a building may yet require about ... ...220,000*l.*

Towards which the present revenue will only raise ... ... 50,000*l.*

So that will there want ... ...170,000*l.*

To supply which the proposal is for an additional duty of 12*d.* per chaldron from the expiration of the 5*s.* per chaldron paid to the King (vizt. 15 May 1703) to Michaelmas 1716, to which time the present duty is to continue. If this be granted, with a borrowing clause, money may be had upon the credit of it so as to complete the church in five years. Which computation may be best viewed in the following scheme :—

Here follows a table shewing how the scheme would work out in each year from 1702 to 1706 inclusive.

[*In Sir Christopher Wren's handwriting.*]

1709, April 11. Treasury Chambers, Whitehall.—Copy of a warrant (*signed*) Godolphin, to "my very loving friend Sir Christopher Wren, knt., Surveyor General of H.M. Works," to cause eleven blocks of white marble now in the store yard at

Scotland Yard, to be removed, eight for the works of Blenheim House, Woodstock, and three for the Queen's Statue and Pedestal at the Cathedral Church of St. Paul, London.

PETITION of DWELLERS near ST. PAULS to the QUEEN.

[1710 ?]—The inhabitants of the several houses standing round about and near the cathedral represent that they are very much annoyed and great sufferers in their trades and employments by the great nuisance occasioned by the timber partitions round the church not being taken away, and the streets and kennels between the same church and their houses not being cleansed and made good, whereby in rainy weather the cellars of many of their houses are in danger of being overflowed, and their health endangered in dry weather by noisome smells arising from the stagnated water in the watercourses ; and many of them in the evening being obliged to wade through the water there lodged, to their great inconvenience.

The petitioners would not have troubled her Majesty, but the Commissioners for building St. Paul's not sitting as formerly they can get no redress, all this inconvenience having arisen from the stop that is put to the finishing of that building. *Copy.*

Sir CHRISTOPHER WREN to the Archbishop of CANTERBURY and the Bishop of LONDON.

1710-11, January 25.—I humbly lay before you the state of the suspension of a moiety of my salary (as surveyor of St. Paul's Cathedral) by a clause in an Act of Parliament which is thus :—

The design of the Parliament on granting the Coal Duty for the said cathedral at that time being to have the building completed with all possible speed, they did to encourage and oblige the surveyor's diligence in carrying on the work suspend half of his allowance till all should be done, whereby I humbly conceive it may justly from thence be implied that they thought the building and everything belonging to it was wholly under my management and direction and it was in my power to hasten or protract it. How far it has been so your Lordships know as also how far I have been limited and restrained, however it has pleased God so to bless my sincere endeavour as that I have brought the building to a conclusion so far as in my power and I think nothing can be said now to remain unperfected but the iron fence round the church, and painting the cupola, the directing which is taken out of my hands, and therefore I hope that I am neither answerable for them nor that the suspending clause can or ought to affect me any further on that account. As for painting the cupola, your Lordships know it has been long under consideration, that I have no power left me concerning it, and that it is not resolved in what manner to do it or whether at all. And as for the iron fence, it is so remarkable and so fresh in memory that the Dean of St. Paul's and Dr. Hare by their influence and importunity have wrested that matter from me and obtained the doing it in a way that I may venture to say will ever be condemned and for that reason (not to say anything of the person that does it) I mention those gentlemen's carrying it in that manner that I may make use of this opportunity to free your Lordships from having an hand in it and consequently from any share of the blame that may attend it.

This then being the case and nothing left that, I think, can keep the said clause of suspension any longer in force against me I most humbly pray your Lordships to grant your warrant for paying me what is due to me on that article, which was 1300*l.* last Michaelmas, and if for the future my advice and assistance be required in anything about the said cathedral I will be ready to give the same and to leave the consideration of it to your Lordships. *Signed* Chr. Wren.

1710-11, February.—Petition of the same to the Commons of Great Britain in Parliament assembled, to the like effect. Has prayed the Archbishop of Canterbury and the Bishop of London to direct payment of the suspended moiety of his stipend to be made to him, but they are advised they could not safely gratify him in that respect, Prays for relief.

Endorsed by Oxford. Received Feb. 22, 1710-11.

Sir CHRISTOPHER WREN to the QUEEN.

His most humble representation sheweth that your Majesty having been graciously pleased (on my humble application) to give some large blocks of marble for your Majesty's statue with figures and ornaments to be set up before the west front of St. Paul's, I employed a very able statuary therein and have no reason to doubt but that all will be very well performed by him.

That a pedestal for the statue and figures being prepared after my design I did intend to have an iron fence round the same to be done by Mr. Tijoue in the best manner and suitable to the other performances. But Mr. dean of St. Paul's, Dr. Hare, Dr. Harwood, and two or three more commissioners having on Thursday last directed that it be done by such model only as they shall approve (and 'tis well known what sort of person and way they are inclined to) I thought it my duty to lay this their treatment before your Majesty that they will not suffer your own surveyor to direct the fencing the statue etc. that your Majesty so largely contributed to and 'tis most humbly submitted to your Majesty's judgment and consideration. 3 February 1710-11.

Another copy of the same.

RICHARD JONES to the Archbishop of CANTERBURY.

[1710-11, Feb. 10.]—Having with the utmost diligence applied myself to the performance of the iron fence for the cathedral church of St Paul and spared no expense for the doing of the same, the whole being long since cast, except some part of the top rail, and above three parts of the bannisters being delivered in ; and 6,000 pounds worth of the work weighed off and received and a pair of gates with part of the railing being put up, which the committee have viewed, and examined able workmen as to the performance thereof, and, as I think, are well satisfied with what I have done and have ordered me to put up the rest of the work with all the expeditionI can, which I hope to perform by Midsummer. The expense of the work being very great and having cost me near 7,000*l.* or 8,000*l.* ; and since it pleases God that your Grace's indisposition prevents your being at a Committee ; I humbly desire that your Grace would consent that at the next Committee the gentlemen present may, if they think I deserve it, order me such a sum as they think reasonable for one who has performed so much of the work ; or, if there be a scarcity of money at St. Paul's, I may have bonds for the sum they shall appoint : the government by whom I am chiefly employed and who owe me several thousand pounds not having made any payment to the artificers for a great while and I being very much straitened for money to carry on the work, my workmen's wages amounting to at least 50*l.* per week. *Copy.*

Copy of a Minute of the Committee at St. Paul's, 20 Feb., 1710, present the bishops of Ely and Lincoln, the dean of St. Paul's, Sir. Tho. Meres, Sir Nathaniel Lloyd, Sir Henry St. George, the dean of Salisbury, Dr. Hare and Dr. Harwood.

It is the opinion of the Committee that indentures be prepared by Mr. Spencer to be executed by the Lords for the sum of 2,000*l.* for Mr. Jones in further part of his iron work ; and they are content he shall have indentures for 1,000*l.* more, if the archbishop of Canterbury and the bishop of London shall be satisfied therewith.

1710-11, February 20.—Minute of the Committee at St. Paul's, present the Bishops of Ely and Lincoln, the Dean of St. Paul's, Sirs Thomas Meres, Nathaniel Lloyd, and Henry St. George, the Dean of Sarum, and Drs. Hare and Harwood, that it is the opinion of the Committee that indentures be prepared by Mr. Spencer, to be executed by the Lords, for the sum of 2,000*l.* for Mr. Jones in further part of his ironwork : and [they] are content he shall have indentures for 1,000*l.*, if the Archbishop of Canterbury and Bishop of London shall be satisfied therewith.

To the COMMISSIONERS for rebuilding ST. PAULS' CATHEDRAL.

1710-11, March 12.—Summary of Mr. Jennings' vindication which he has before delivered to them concerning the objections of the Dean of St. Paul's against him and the allegations of some of his men at the instigation and encouragement of Mr. Jones and Mr. Spencer, with a remark thereon, and 'tis evident

1. That I have paid my men much greater wages than has been represented; that I have duly paid every man the wages I agreed for and had their discharges from time to time: that masters and undertakers in other trades as well as mine have an advantage by their men; that the work I have done deserves the full money I have had for it has been vouched by Sir Christopher Wren who directed and examined the work and whose judgment I still abide by; and that my men (except the few discontented and stirred up as above) have freely declared themselves well satisfied in the presence of Mr. Bowles and Mr. Burrows two able and reputable citizens of London.

2. That for the work done at St. Paul's for the Almoner's house and the materials used there the dean and chapter directed it to be on the account of the public; that for my other materials that I had out of the stores of St. Paul's (as some others had that were useless there) I have answered their full value and discounted it from my Bills, as may be seen by the Office Books; that all my men entered in the Call and Pay Books at St. Paul's constantly and duly performed their day's work at the building there; and that when any appeared there which were employed at parish churches due notice was given, that they might not be entered for St. Paul's, for which the clerk of the check and his books have been and are referred to.

3. That for any persons carrying off wood or nails, I have endeavoured all I could from time to time to detect and prevent the same and believe there has been as little detriment that way at St. Paul's as in any public building whatever.

Now my remark is

That as what has been alleged against me is demonstrably false, that as the persons brought to complain and to be evidence against me have been discontented because out of work, and appear to have been wrought upon by prejudiced persons I can't but (with submission) think all they say ought to have very little regard, which I am the more confident in seeing you yourselves seem to pass by and disbelieve what some of 'em say of Mr. Spencer's wronging the church to a great degree; and I am persuaded it will be allowed that they ought to be punished for vilifying Sir Christopher Wren as they do. I think also it might be taken notice of that some of these men have known of (if not had an hand in) the unscrewing the bolts out of the timber of the west roof, for a discovery of which a reward has been offered. I do not doubt, therefore, but what I have said and proved would fully acquit and justify me in any court of judicature in England and before any impartial and unprejudiced persons whatever. Richard Jennings.

Declaration signed by 60 carpenters employed under Mr. Jennings at St. Paul's that he honestly paid us and others employed with us the full wages we agreed with him for and we did as readily give him discharges, as was fit for us, to do after having received our full pay. We should also be very thankful for such employment and pay again and are very sure we always performed our day's work, and had such directions as to go on regularly and duly in our business; and we are ready to make affidavit of the truth hereof. March 3, 1710-11.

[Of these sixty signatures ten are marked with an asterisk. with this note.] Since this declaration those with this mark (including Thomas Huntley) make affidavits against Mr. Jennings and Huntley before this last affidavit made one in vindication of Jennings; to shew how the combination was begun and managed.

THOMAS HUNTLEY to the EARL of OXFORD.

1711, September 15.—I had the honour to receive a letter by your directions, signed William Thomas, and according to your directions therein I and some others applied ourselves to Mr. Attorney General and informed him of the frauds and abuses committed by Mr. Jennings. His Honour was pleased to say what we did was not for the Queen and Government but our own interest. Such a reception I did not expect and I humbly beg your Lordship to direct that we be not so treated having already been very ill used for discovering the many frauds and abuses committed at St. Paul's, the like of which has not been known in any public business. As for the case I informed your Lordship was in the press, there is not the least reflection therein upon your Honour, the whole design being to shew the many indirect ways Mr. Jennings has taken to screen himself from justice; one of which brags are that your Lordship and several other great men had promised him protection in order to deter some from making the discovery and allure others to help to conceal his frauds by hopes of preferment not doubting that your Lordship is so far from protecting him that your Honour will give us all due encouragement and assistance in exposing him. I beg further to observe that although the affidavits of fourteen men have been made to prove the frauds upon him and the Commissioners thereupon have made an order to discharge him from all works belonging to St. Paul's, yet Sir Christopher Wren and Mr. Thomas Bateman in opposition to the commissioners continue to employ him at the Chapter House of St. Paul's and the other London churches and give him all other encouragement which (with submission) is a great encouragement of villany and discouragement to honest men. This affair would have been laid before the last Parliament had there not been a dependance on your Lordship's justice.

1711-12, January 25.—Report to the Queen by the Attorney General about Mr. Jennings.

In obedience to Her Majesty's commands signified by the Earl of Dartmouth he has considered the enclosed (*missing*) letter from the commissioners for rebuilding the church of St. Paul concerning Mr. Jennings, late master carpenter there, representing

First. That Mr Jennings confessed before them that he had paid the under workmen at St. Paul's a great deal less wages than the Commissioners had allowed and he received for that purpose, and pretended that he had a right so to do ; and that it appeared to them by testimony and affidavits of the said under workmen that they had hardly received above two thirds of the wages the church allowed and they compute Jennings gained thereby 1,500*l*. a year.

Secondly. That the goods and materials of the church were much embezzled by him and great quantities of the timber, boards, ropes, nails, etc., were by his direction and those acting under him conveyed away.

Thirdly. That several of the under-workmen after they had answered their call at St. Paul's were sent to work by him in other churches and places, and that some of the workmen of the church were employed within the church to make models for other churches, presses, window cases, etc., of the church's material. Praying he may be prosecuted for his great frauds and abuses of the church's materials.

And having given notice to Mr. Spencer, clerk to the said Commissioners, of the time appointed for considering the Memorial and looking into the evidences to maintain the charges and hearing Mr. Jennings' defence, Mr. Spencer came at that time and produced the examinations taken before the Commissioners, before they made the Memorial. Mr. Jennings attending.

1-6. As to Mr. Jennings receiving greater wages than he paid, Mr. Spencer produced petitions of under carpenters representing that Mr. Jennings was allowed 15*s*. a week per man and for the four past years they were paid from 7*s*. to 12*s*. per week each and no more and praying for an order that the arrears of their wages should be paid to them as well as their expenses in attending their information ; and also the examination of several of those under carpenters taken before the Commissioners, namely of

2, 4, 5. Wm. Congdon who declares he never received more than 12s. per week and sometime but 9*s*., 10*s*. and 11*s*. Tho. Scrimshaw, John Cambden, and Wm. Lind, that they never received more than 11*s*. a week each, and Lind but 8*s*. for his man. Wm. Ambrose but 12*s*., Wm. Jones for himself but 12*s*., for his son but 5*s*. and sometimes 6*s*. John Randall but 13*s*., Robert Eldred but 12*s*. and James Cobham, an apprentice, but 9*s*. a week.

7, 3. As to which Mr. Jennings in his defence before the Commissioners and him insisted that he duly paid the wages agreed with them for, etc. (*as above*), that he paid none less than 11*s*. a week, and that he and not the church hired those under carpenters and agreed with them for their pay and in this hath done no more than his predecessor and all masters and undertakers in that and all other trades who have always an advantage by their men. Mr. Spencer agrees that he provided the under carpenters and he never believed that he paid them so much as he received for their service. Jennings also produced certificates signed by some ninety under carpenters that they were employed by him and he paid them the full wages agreed upon with them, etc. (*See* above Declaration). And Sir Christopher Wren hath certified that all Mr. Jennings' work hath been performed in the best manner, and deserved all the money he hath had for it. Therefore as to this article Jennings having done no more than all other Master Carpenters usually do and the Commissioners having allowed him to provide the under-carpenters and having (as it seems by Mr. Spencer) taken notice that he agreed with them for less than the church allowed him for their work, the Attorney General doubts the success of a prosecution, especially since if the under-workmen ought to have had the wages allowed by the Commissioners the wrong is done to them and they might recover the arrears. But he apprehends the matter might have been better managed, if a particular person had been appointed to hire them and agree for their wages, for by allowing this liberty to the master carpenter he hath opportunity of bringing in unskilful carpenters for small wages, as Northey perceives the Commissioners apprehend he did.

As to the 2*d*. article of embezzling materials, Mr. Spencer produced besides the examinations of the under carpenters affidavits of Robert Eldred, William Beach, Joseph May, Ralph Chambers, John Hall, Edwd. Johnson and John Safford, whereby Eldred swears that Thomas Harman, Jennings's foreman, employed him to get ready a great quantity of boards which belonged to St. Paul's to make a large press and was sent from his work to put the press together, and that he made several other things by Harman's order which were carried away and disposed of by Harman; that he also worked mouldings of [those] at St. Paul's which were set up at the church of St. Michael, Crooked Lane; and that he made a desk for Mr. Robinson the master smith of St. Paul's, William Beach swears that he hath carried away from St. Paul's large timber, ropes, spikes, nails, and ladders. Joseph May swears that in 1708 he carried to St. Michael Bassishaw several ropes and to St. Edmund the King's church, timber, nails, spikes, and ropes. Ralph Chambers swears that he and Redhead carried to Grub Street boards and nails, and that James Cornock made a model of St. Michael, Crooked Lane, of the best timber belonging to St. Paul's, and he carried timber from Mr. Jennings' yard to Crooked Lane church. John Hall swears that he and one Wm. Cooper were employed in cutting knee timber, etc, for fire which were carried out of St. Paul's in sacks and baskets by the watchmen. Edwd. Johnson swears that he and his brother made close presses for two months together, the timber and time belonging to St. Paul's, and that he and one Taylor were employed in making beds and picture frames on the church account. Safford swears he carried timber and cleets to other churches and from Mr. Jennings's yard to Crooked Lane church James Cobham, Richard Clark, John Randall, John Littleboy, Samuel Slater, Adam Hurst, and Thomas Huntley, by their affidavits swear to the same several particulars. And Thos. Jones, Henry Smith, John Smith, John Johnson and Geo. Savage by their affidavits swear to the same several particulars and Henry Smith adds he saw a wagonload of wainscot boards lodged in the vaults which were cut into short lengths and carried away privately.

Mr. Jennings answers in the first place that the said accusations are uncertain, no time being specified therein, so that it will be impossible for him to give a particular answer to the same, and that the charge is made by persons who are displeased at him by being turned out of the work; and by his answers before the Commissioners as also before me insisted that if any materials were carried away and not allowed for by him it was by stealth of the under workmen, to prevent which all possible care was taken and the persons when discovered were dismissed. That as to the shutters, sashes, presses, etc. worked at St. Paul's with the materials provided for that church the materials and work were at his own charge and having checks upon him for both he made no scruple to have them worked in the Churchyard and appeals to the discount he has made in his bills for the materials; and as to his making use of such materials as were useless and paying the full value for them he alleges the same to be a service and advantage to the church. That the sash frames, etc., mentioned were for the almoner's house and the work done by direction of the dean and chapter and at the public charge; and also produced the affidavit of Wm. Dickenson (clerk for taking the accounts of several materials for the said building) whereby he swears that Mr. Jennings having had some of the useless materials he had an account thereof and the same being valued at the usual prices what they amounted to was set off and discounted from Mr. Jennings's bills of work and thereby fully answered to the said church and that he believes Mr. Jennings hath not wronged the church of any materials, and also the affidavit of Thomas Harmar, Mr. Jennings' foreman, who swears that the materials made use of in other churches were by the deponent given an account of to the said Dickenson or Mr. Cook a clerk, who were the proper officers and that Mr. Jennings' men worked the several things mentioned in his charge for the almoner's house; and also the affidavit of Thos. Cook who in the absence of Dickenson took account of the materials of the church, who swears that Mr. Jennings having had some of the useless materials of the church the deponent had an account thereof and the same were discounted by Mr. Jennings and duly answered to the church; and that some of the materials were used and worked in the Churchyard for the almonry house and believes that Mr. Jennings hath not wronged the church of any materials or in his men's time or work. Mr. Jennings also produced the affidavits of Geo. Guest, Edwd. Ayres, Thos. Ealman, John Stanford and John Wilkins, labourers, now employed at the works at St. Paul's, whereby it appears they were employed for a considerable time in beating plaister and burning the same in the vaults of St. Paul's, which burning of plaister was the occasion of expending vast quantities of wood which was cut up by some carpenters,they having tools fit for that purpose, and they add that it was work enough for two men to saw and split the same for the use abovesaid and for the melting of lead for cramps, and for the Office of Works, and the Dean's and Minor Canons' vestries; and also that they have carried to the waterside a great quantity of wood by order of Mr. Spencer, clerk of the works, and which these deponents have been informed was for the use of the said Mr. Spencer at his lodgings at Chelsea.

As to the third article that several of the under workmen after they had answered their call at St. Paul's were sent to work by him in other churches and places. By the said examination George Hill, John Meger, Wm. Beech, Adam Hurst, James Cobham, Edwd. Griffith, Thos. Griffith, Thos. Lloyd, Richd. Murrey, Wm. Ambrose, and others, declare that they did answer three times a day to their call at St. Paul's and were sent by Mr. Jennings forenoon and afternoon to work for him at other churches, viz.: Foster Lane, Bassishaw, St. Christopher's and Crooked Lane. And also the said Robert Eldred, Ralph Chambers, John Hall, Benjamin Taylor, John Safford, James Cobham, Richard Clark, John Randall, John Littleboy, Adam Hurst, and Thos. Huntley, by their affidavits swear they were severally while under call at St. Paul's and after they had answered to their names there employed by Mr. Jennings and those under him to work in other churches and places.

In answer to which Mr. Jennings by his answer before the said commissioners did and before me does insist that he having work at some towers of the parish churches some men he employed there might be at St. Paul's at the calling over the men but it was only the better to meet with him and receive his directions for business at those towers and that none of them were entered in the Call Book at St. Paul's at such times or at any other when they wrought elsewhere, for the truth of which he refers to the Call Books and the clerk of the check. He hath also produced a certificate signed by several of the said carpenters and attested upon oath that whensoever they were at St. Paul's at the hour of call it was when they were at a loss and the better to find their master, and that in such cases notice was given they were not of the number for work at St. Paul's several of which are of the number of those who have appeared against Mr. Jennings. He hath also produced the affidavit of Saml. Stone, employed by Mr. Marples, clerk of the check, who swears that some of the carpenters (employed elsewhere) answering to their names at St. Paul's, as it did sometimes happen, Mr. Jennings or the men themselves giving notice that they were not at work for the cathedral, their names were struck out and not entered in the Call Book. As also the affidavit of the above Richard Marples who swears to the same effect and that he made out Mr. Jennings's bills from the Call Book. As also of Thos. Martin, Robt. Norman, Wm. Redhead, Wm. Nowell, John Bambridge, and James Cornock, who swear that tho' they were sometime employed by Mr. Jennings at other places yet then they were struck out of the book, and if they then were at the call it was because they were at a loss to proceed and notice was then given that they were not in work there, and that Mr. Jennings had given them repeated charge to appear as little as possible at. St. Paul's when not in work there. And also the affidavit of Thomas Harmer who swears that the men employed in the Churchyard about work for the parish churches were not entered in the call book at St. Paul's but a distinct account taken of their time so as they might not be charged to that cathedral.

As to these last charges the evidence given against Mr. Jennings not being particular as to the times it was impossible for him to give other answers than he hath done or to apply the check in the officers' books of workmen struck out that were employed in his private works, or the allowances made for materials charged to have been embezzled by him, whereupon Mr. Jones, now employed in making the iron rails at St. Paul's, who hath appeared against Jennings in this prosecution said he would produce from the evidences the particular times when the facts charged were done. But tho' I have for some weeks expected, the said charges have not yet been made more certain.

On the whole matter from the opinion I have of workmen in general, I cannot doubt but that there have been great frauds committed by them in the great work of rebuilding of the cathedral of St. Paul's but have little expectation of advantage from a prosecution of Jennings on such general charges especially since those that were appointed by the Commissioners to be a check on him have severally given so good an account of his behaviour in that work. The Commissioners have done all that they could to examine into this matter and had the prosecutors thought fit to have given their information sooner, as they ought to have done, the commissioners might have done more.

All which is most humbly submitted to your Majesty's royal wisdom. Edw. Northey. January 25th, 1711-12.

Copy.

A State and Estimate of the Duty on Coals and Culm for rebuilding, finishing and adorning, the cathedral church of St. Paul, London.

The coal importation into the Port of London, from Michaelmas 1670, to Michaelmas 1710, hath been as follows, viz. :

	10 Years ending at Michaelmas.	Chalders Imported.	Annual Medium of Chalders.
	1680	2,393,319	239,332
	1690	3,012,428	301,243
	1700	3,198,660	319,866
	Year ending at Michaelmas		
	1701	400,377	338,373
	1702	243,181	
	1703	301,609½	
	1704	380,833	
	1705	350,953	
	1706	333,971	
	1707	310,849	
	1708	360,676	
To 16 May when 2*s*. per chaldron commenced		121,349	
From thence to Michaelmas		239,327	
	1709	373,626½	
	1710	327,656	
		3,383,732	

One duty in being for St. Paul's etc. is 12*d*. per chalder, granted from Michaelmas 1700 to Michaelmas 1716, and another duty is 2*s*. per chalder for eight years from 15 May 1708 exclusive.

	Per Annum.
The medium of the importation taken from the last ten years (allowing only 373 chalders for accidents) is 338,000, which at 12*d*. per chalder amounts to ...	16,900*l*.
Whereof one-sixth is appropriated to Westminster Abbey, and one-fifth of the remainder (or another sixth of the whole) to the towers of some London churches ...	5,633*l*. 6*s*. 8*d*.
Remains for St. Paul's ...	11,266*l*. 13*s*. 4*d*.

Whereon there remains borrowed 24300*l.* at interest and 550*l.* without interest, in all ...	24,850*l.*
And on the 2*s.* per chalder (which duty is all applicable to St. Paul's) there remains due of borrowed money ...	128,740*l.*
	153,590*l.*

And the money in hand with the produce to 1 April 1711 being computed only sufficient to discharge all Interest due to that time, the following scheme of the said duties and debts is calculated from thence, observing only this that paying off money is reckoned to be half-yearly, and that interest is 5 per cent. per annum.

Here follows a tabular statement shewing that between 1 October 1711 and 29 September 1716 it was estimated that on the 12d. per chalder duty the principal paid off would amount to 24,850*l.* the interest paid would be 1585*l.* and that on the 2*s.* per chalder duty, the principal paid off would be 128,740*l.* the interest paid would be 14,868*l.* 5*s.* and that there would remain a surplus in the first case of 38,740*l.* 16*s.* 8*d.* and in the second case of 30,049*l.*10*s.*

Which surplus, amounting to 68,790*l.* 6*s.* 8*d.* may be a good fund for 55,000*l.* to be borrowed in the year 1711 at 6 per cent. per annum (which is the least that can be proposed to be allowed considering the scarcity of money and the distance of the Fund), And it may be a security for a greater advance in proportion to the time of borrowing nearer its commencement. But 1711 is mentioned, because all work and ornaments remaining unfinished about the said cathedral may be supposed to be completed in that year and the surplus is in the first place to be applied to defray the charge thereof, for the amount of which charge the estimate to be delivered by Sir Chr. Wren is referred to.

Docketed Coal Duties for St. Paul's, 22 Feb., 1710-11.

Sir Christopher Wren's estimate for finishing and adorning St. Paul's.

				£	s.	d.
The present debt for work and materials is ...				3538	8	0
Due to the Surveyor for the suspended moiety of his salary to Xmas, 1710				1325	0	0
				4863	8	0
	£	s.	d.			
There remains to clear off the purchases of houses appointed by Act of Parliament to be pulled down on the north side of the cathedral	892	12	0			

And the charge of the conveyances and decree about them may be computed at	100	0	0			
				992	12	0

Estimate of work and ornaments proposed and unfinished is as follows :—

Masons work in finishing the remainder of the Fence Wall, several cross walls to divide the Churchyard, with having the isles and passages leading to the Libraries	680	10	0
Queen's statue to be placed in the West area, with the figures, ornaments and pedestal belonging to it (all of marble and in great forwardness) as also an iron fence round the same, over and above what is already paid towards the charge thereof	1260	0	0
Carving 4 panels at the west end with historical Bass-Relievos, with a panel under one of the windows	315	0	0
Digging the foundations of the walls above mentioned with levelling the whole Churchyard and carrying away the earth and rubbish	438	0	0
Brickwork in the foundations of the said walls including materials and work	108	0	0
Smiths' work for the iron fences upon the said crosswalls, a balcony in the upper west portico (which I propose to be of hammered iron) large casements to the lower windows of the body and choir of the church, with locks, hinges, and bolts, for several doors	908	0	0
Carpenters' work in taking down the timber fences round and in the churchyard, with several sheds, the old Chapter House and the great scaffold to the inside of the cupola, making and striking scaffolds for the carver and painter, making the floors of the north and south side isles, above, with several doors in the church and vaults	1276	10	0
Plumber for making good part of the roof and gutters damaged by the falling of stone and timber	200	0	0
Brass branches and pulleys for the body of the church, brass candlesticks for the choir, copper springs and brass collars and sockets for the casements, with copper cramps for the pedestal for the Queen's Statue	342	0	0
Plasterer for finishing in the vaults and the lower part of the inside cap of the dome, with pointing several windows about the church	105	0	0

Glazier for glazing several windows in the church and dome			124 0 0
Painting the inside ironwork, the doors, the inside windows of the church and dome, the ironwork in the roofs, library staircase, laying in oil the two west porticos, painting the cross fences in the churchyard, the inside and outside iron balconies and laying in oil the remainder of the stonework in the Dome			992 0 0
The cast iron fence round the churchyard over and above 1,000*l.* already paid Mr. Jones, the undertaker, according to his own computation at 6d. per pound, to which it is left, that way of doing it being carried contrary to my opinion ...		10000 0 0	
Running joints of the rail, the balisters, spikes, and scrolls of, the said fence with lead	479 13 0		
Painting ditto ...	207 7 0		
Masons for cutting the holes for ditto ...	116 0 0		
Carpenters for making trussells and placing the gins for the said fence and gates ...	50 0 0		
		10853 0 0	
Painting the cupola with panels of histories taken out of the Acts of the Apostles		3500 0 0	
But if the same be painted with ornaments of architecture in Basso Relievo and the mouldings heightened with gold it may be done for two thousand pounds and several are more inclined to this latter way than the other.			
Deals and timber for the floors and doors before mentioned with nails for the same and ropes and rails for scaffolding		300 0 0	
A large marble font with ornaments and appurtenances		300 0 0	
Salaries to Christmas 1711		480 0 0	
Labourers and watchmen for the same time		540 0 0	
Incident charges in preparing and executing securities for money to			

be borrowed ; fees in auditing and passing accounts, as the Act of Parliament requires, with stationery, wares, etc.	240 0 0	
Building a new Chapter House, with the inside finishing thereof ...	5060 0 0	
Paving the area at the West end and the street round the fence ...	1165 0 0	
		29187 0 0
		35043 0 0

As to completing the particulars before mentioned, Mr. Jones has proposed to finish the cast iron fence round the church by Michaelmas next (and I must leave his time as well as his sum to his own computation) and all the other particulars may be finished by Christmas next, if they be left to the direction and management of the Surveyor ; but, if the same be not left to him, he cannot be supposed to answer for the sum or time.

I have only further to take notice of two things more than have been proposed, vizt. :—

1. Chimes and a ring of bells which if included upon will come to ...	6000 0 0
2. Pinnacles and other ornaments round the top of the church, with statues to the three pedaments, which will require three years time and cost about	16500 0 0

Signed. Chr. Wren. *Copy.*
28 Feb., 1710-11.

Royal Furniture for St. Paul's Cathedral.

1710-11, February 28. St. Paul's.—At a meeting on February 26 of the dean and chapter and some other Commissioners for the Fabric a Minute was made in the following words :—

Whereas the Commissioners did on 11 February 1709-10 order that a new furniture for the choir should be provided, it is now desired that Sir Christopher Wren do represent to the Committee of the House of Commons that the same is intended to be a Royal Furniture to be used on the Queen's coming to St. Paul's upon the occasions of Thanksgiving and other solemnities.

What I have to say on this article is that there is already a very fine and good set of furniture for the choir, vizt., books, velvet cushions, and suitable ornaments for the pulpit, communion table, etc., and also a duplicate thereof or a reserve set. I remember that on its being discoursed, the charge thereof was computed at 2,000*l.* but I do not take it to be my province either to judge of that repeated expense or whether it may be defrayed out of the Coal Duty. Chr. Wren.
Holograph.

1710-11, March 12.—Abstract of the Charge of rebuilding and adorning St. Paul's Cathedral, London, from the beginning thereof after the Fire to 31 December, 1710.

Building and Ornaments (including 1325*l.* suspended moiety of the Surveyor's Salary to the said 31 December)	683,916*l.*	13*s.*	4¼*d.*
Interest money	60,162*l.*	8*s.*	
Purchase of houses on the north side of the church	16,054*l.*	9*s.*	6*d.*
	760,133*l.*	10*s.*	10¼*d.*

(*Signed*) Thomas Bateman.

1710-11, March 20.—At a meeting of the Commissioners for St. Paul's. Present, The Bishops of Ely and Lincoln, the deans of St. Paul's and St. Asaph, Sir Tho. Meres, and Drs. Hare and Harwood.

Ordered. That out of the first money that shall be issued by warrant from the archbishop of Canterbury, the bishop of London and the Lord Mayor of London, or two of them, for the work of the church, 3000*l.* be paid to Mr. Jones in further part for the iron fence.

This Order looking as if there was a design to break into the course and condition of repaying money borrowed, the receiver of the duties stated the case of the loans thereon to Mr. Attorney General, which and his opinion upon the same, as follows vizt. :—

State of Loans on the Coal Duties for St. Paul's Cathedral.

The securities on the 2*s.* per chalder are made to be paid in a certain course after 20,000*l.* first taken for uses of the building etc. and the said 20,000*l.* is already made use of and applied accordingly.

The securities on the 12*d.* per chalder do not mention any course of payment but are all made payable at the same time and so are subject to the demands of the proprietors, several of whom have already made their demands and lodged their claims at the Chapter House at St. Paul's.

Query.—May any money out of either of the said Duties be applied to the building 'til the principal and interest money owing be discharged ?

Opinion of the Attorney General.

I am of opinion the securities given for money borrowed by the Archbishop of Canterbury, the Bishop of London and the Lord Mayor or two of them, Order of the Commissioners, as stated, and the serving the same at the office binds the person that is to pay them in course as they are brought thither and what money is wanting for the works must be borrowed on the fund to be repaid thereout after the moneys before borrowed are paid. Edward Northey. March 22, 1710-11. *Copy.*

Docketed. Minute of Committee at St. Paul's for 3,000*l.* to Mr. Jones, out of the Coal Duty and the opinion of the Attorney General against the validity of that order. Two other copies of the above State of Loans and Opinion.

In the first of these 'Opinions,' the beginning reads I am of opinion the Instrument of Security, Order of the Commissioners, &c., In the second the words are 'I am of opinion the indentures of Security, order of the Commissioners, etc.

Stair Foot or Charity Money.

1710-11, March 22.—Account of money received on voluntary gifts at the Stair Foot Door (going to top of the Church) from 25 March 1707 (when the application of it to charitable uses commenced) to 22 March, 1710-11, when the dean and residenciaries put a stop to such disposition of the said money :

Gross receipt		339 18 4
Which has been paid as follows :—		
To surgeons and apothecaries for the cure of men maimed and hurt in the works	187 13 10	
To widows whose husbands were killed in the works	30 0 0	
Putting out and clothing apprentices	75 0 0	
To men disabled in the works and past their labour, with conveying some of them to the places of their nativity	35 0 0	
Coroners and funeral charges of men killed in the works	12 4 6	
		339 18 4

Note.—When the dean and residenciaries put a stop to the applying to Charities the moneys to be received at the said Door and some others about the Church they directed it should be equally divided among their minor canons, lay-vicars, and virgers.

1712. December, A collection (by way of pound rate at 2d. in the £) made in the Office of Works, vizt.

	£	s.	d.
At London	215	7	10
At Windsor	20	1	0
Total ...	£235	8	10

Sir CHRISTOPHER WREN to the QUEEN.

1711, June 5.—My most humble representation sheweth that on my application to the House of Commons for relief in the suspension of my salary at St. Paul's, a clause is passed in the Act for Building Fifty New Churches, for my being paid on or before next Christmas, which time I humbly conceive is taken from the estimate annexed, being a copy of what I delivered to the Committee of the House of Commons who had the matter of the said churches before them : in which estimate I propose by Christmas to finish all works at and about St. Paul's for which any officers need be kept in pay.

In order therefore to my answering the seeming intent of the Parliament in finishing the Estimate in due time I beseech your Majesty to give directions for my proceeding therein so as not to be hindered in completing the same, excepting the article of painting the Cupola which (and the two other articles I compute longer time for) I leave to be further considered by your Majesty or such persons as you will think fit to appoint to judge thereof, and beg leave to represent what has happened in relation to the west area of St. Paul's where your Majesty's Statue is to be placed, vizt., the said area being paved in the best manner for your Majesty's and other coaches to come up to the steps, I caused the ground of the said area (which had been a burying place) to be well searched, made firm, and levelled for paving. But (to my great surprise and concern) after this was done several new graves have been suffered to be made in the said area to the prejudice of the paving which (as was very well known) is to be there : wherefore I think it my duty to lay the same before your Majesty and to pray that directions may be given in such a manner as may put a stop to burying in the said area that the same may be paved as it ought to be. 5 June, 1711. *Signed* Chr. Wren.

An account of what is remaining due for work, materials and other matters relating to St. Paul's Cathedral, London ; with an estimate of work and ornaments proposed and unfinished at and about the same.

	£	s.	d.
The present debt for work and materials is ...	3538	8	0
And there is due to the surveyor for the suspended moiety of his salary to Christmas, 1710 ...	1325	0	0
	4863	8	0

	£	s.	d.	£	s.	d.
There also remains to clear off the purchases of houses appointed by Act of Parliament to be pulled down on the north side of the cathedral	892	12	0			
And the charge of the conveyances and decree about the same may be computed at	100	0	0	992	12	0
				5856	0	0

Then the estimate of work and ornaments proposed and unfinished is as follows, vizt. :—

	£	s.	d.
Masons' work in finishing the remainder of the fence wall, several cross walls to divide the churchyard, with paving the isles and passages leading to the Library	680	10	0
Queen's statue to be placed in the west area with the figures, ornaments, and pedestal (all of marble) and in great forwardness over and above what is already paid towards the charge thereof	1260	0	0
Carving four panels at the west end with historical bass relievos, with a panel under one of the windows	315	0	0
Digging the foundations of the walls above mentioned, with levelling the whole churchyard and carrying away the earth and rubbish ...	438	0	0
Brickwork in the foundations of the said walls including materials and work	108	0	0
Smiths' work for the iron fences upon the said cross walls, a balcony in the upper west portico (which I propose to be of hammered iron), large casements to the lower windows of the body and choir of the church, with locks, hinges, and bolts, for several doors	908	0	0
Carpenters' work in taking down the timber fences round and in the churchyard with several sheds, the old chapter house and the great scaffold to the inside of the cupola, making and striking scaffolds for the carver and painter, making the floors of the north and south side isles above with several doors in the church and vaults ...	1276	10	0
Plumber for making good some part of the roof and gutters damaged by the falling of stone and timber	200	0	0
Brass branches and pulleys for the body of the church, brass candlesticks for the choir, copper springs and brass collars and sockets for the casements, with copper cramps for the pedestal for the Queen's statue	342	0	0

	£	s.	d.
Plasterer for finishing in the vaults and the lower part of the inside cap of the Dome with pointing several windows about the church	105	0	0
Glazier for glazing several windows in the church and dome	124	0	0
Painting the inside ironwork, the doors, the windows of the church and dome, the ironwork in the roofs, library, staircase, laying in oil the two west porticos, painting the cross fences in the churchyard, the inside and outside iron balconies and laying in oil the remainder of the stonework of the dome	992	0	0
The cast iron fence round the churchyard over and above 1,000*l.* already paid Mr. Jones the undertaker according to his own computation at 6*d.* per pound, to which it is left, that way of doing it being carried contrary to my opinion ...	10000	0	0
Running the joints of the rail, the balisters, spikes, and scrolls of the said fence with lead	479	13	0
Painting ditto	207	7	0
Masons for cutting the holes for ditto	116	0	0
Carpenters for making trussels and placing the gins for the said fence and gates	50	0	0
Total ...	10853	0	0

	£	s.	d.
Painting the cupola with panels of histories taken out of the Acts of the Apostles	3500	0	0

But if the same be painted with ornaments of architecture in basso relievo and the mouldings heightened with gold, it may be done for 2000*l.* and several are more inclined to this latter way than the other.

	£	s.	d.
Deals and timber for the floors and doors before mentioned, with rails for the same and ropes and nails for scaffolding	300	0	0
A large marble font with ornaments and appurtenances	300	0	0
Salaries to Christmas 1711 ...	480	0	0
Labourers and watchmen for the same time	540	0	0
Incident charges in preparing and executing securities for money to be borrowed, fees in auditing and passing accounts as the Act of Parliament requires, with stationery, wares, etc.	240	0	0
Building a new chapter house with			

	£	s.	d.	£	s.	d.
the inside finishing thereof ...	5060	0	0			
Paving the area of the west end and the street round the fence ...	1165	0	0			
				29187	0	0
				35043	0	0

As to completing the particulars before mentioned Mr. Jones has proposed to finish the cast iron fence round the church by Michaelmas next (and I must leave his time as well as his sum to his own computation) and all the other particulars may be finished by Christmas next if they be left to the direction and management of the surveyor, but if not he cannot be supposed to answer for the sum or time.

I have only further to take notice of two things more that have been proposed, vizt. :—

1. Chimes and a ring of bells which if concluded upon will come to ... 6000*l*.
2. Pinnacles and other ornaments round the top of the church, with statues to the three pedaments, will require three years time and cost about ... ... 10500*l*.

Signed Chr. Wren. 28 Feb., 1710-11

T[HOMAS] B[ATEMAN] to the EARL of OXFORD.

1711, June 7. Past Eleven.—I have just now notice that the business of the houses pulled down near St. Paul's is to be heard before my Lord Keeper at 5 this afternoon.

I saw Mr. Sadler about an hour ago and he told me that Lord Salisbury was very well at Hatfield last night when a messenger came to town from his Lordship.

G[EORGE] BROUGHTON, Consul at Venice, to the EARL OF OXFORD.

1711, August 21. Venice.—Has had the honour to serve the Crown as a private minister (with title of Consul) ever since the happy Revolution, and near eighteen years to manage all the public affairs with 'this subtile Republic,' and hold correspondence with all our Crown's ministers at home and abroad which is more than any other Consul was employed in at a sovereign state. Yet he has had no appointment or salary save uncertain bare perquisites of 'Consuladge,' scarce sufficient to defray postage of letters; so has laid out a very considerable estate of his own, being forced to keep a post suitable to the management, which made him undergo many hardships, not being re-imbursed about 1,200*l*. expended by order and for the service of the Crown, as shown in the accounts rendered to the Lord Treasurer. Begs for payment of some at least of the arrears due to him so that he, at sixty one years of age, his wife and family, be not totally ruined and deprived of subsistence in a strange country.

Encloses a scheme which begins—"Considering that the Cathedral Churches of London and Westminster, with a many parish churches, are to be finished, repaired, and rebuilt, and that the Palace of Whitehall is to be new built also, there will be occasion for many marble pillars and abundance of marble stones of divers colours and dimensions to make these fabrics stately and magnificent; and that much time and care as skill is required to provide and prepare them, and ship them from Carrara, Genoa or Leghorn and adjacent places where the best marble is found, as also convenience for shipping thereof for England"; and sets forth at great length the manner in which he may be employed in procuring and shipping this marble for the purpose indicated.

JOHN JAMES to [the EARL OF OXFORD.]

1711, October 24. Greenwich.—Though under the great misfortune of being utterly unknown to Lord Oxford, begs to state that he is the person who about six months ago was chosen by the Commissioners for St. Paul's Church, in the room of one Jennings, who having been carpenter to that Church some few years had acquired a considerable estate, and was about April last discharged from that office on account of several frauds witnessed against him by the workmen.

Jennings has however, in spite of such order of discharge, continued to go on with the work of the Chapter-house, though he was under no contract with the Commissioners for its execution; and certainly no persons in Commission under her Majesty were ever treated with so ill manners as many of those gentlemen have been, by the scandalous advertisements and pasquils printed and posted up on the public entrances to that Cathedral relating to this affair.

Many times within these four months has it been given out that the Commissioners would very speedily be changed, and Jennings restored to the business by Lord Oxford's favour; but the writer entreats that he may not be deprived of an office which he has done nothing to forfeit and which he hopes all who know him will witness he is fit for.

"I make no doubt your Lordship will allow my case to be "heard, when you shall be informed that perhaps no person "pretending to Architecture among us, Sir Chr. Wren excepted, "has had the advantage of a better education in the Latin, "Italian, and French, tongues, a competent share of mathe-"matics, and ten years instruction in all the practical parts "of building by Mr. Banks, who was well known in their "Majesties' Works in the late reign; and yet with all the friends "I could make I have never been able to obtain any office in "the public works that would be a comfortable support, though "I don't know I ever did anything to disoblige Sir Chr. Wren, "and those that have had the greatest influence with him."

"What I have lived upon hitherto is about 60*l.* per annum, "which I obtained in the works of Greenwich Hospital about "twelve years ago, and have never been able to make any "addition to it, till by the interest of some of the gentlemen "hereafter mentioned I had that office of St. Paul's."

The names of the gentlemen referred to are given in a postscript, they include the Dukes of Buckingham and Leeds, the Earl of Pembroke, Viscount Weymouth, Lord Lempster, Mr. Benson, Chancellor of the Exchequer, Sir James Bateman, &c., &c.

[Sir CHRISTOPHER WREN] to [the EARL of OXFORD.]

[1711 ?]—It is humbly prayed that Sir Chr. Wren may have a warrant for finishing at discretion and with all convenient speed the following works at and about St. Paul's, viz^{t}. :—

Remainder of the fence wall with the cross walls to divide the Churchyard.

The Queen's statue and figures belonging to it, with the pedestal for it, and the iron fence round the same.

Carving four panels at the West end with historical bas reliefs and a panel under one of the windows.

The Chapter House now in hand.

A marble font with proper ornaments.

The iron work for and upon the said cross walls.

A balcony in the upper west portico.

Putting up and hanging the casements prepared for the lower windows of the body and choir of the church.

The brass branches and pulleys for the body of the church, with plumbers', plasterers' and glaziers' work yet wanting as also painting the ironwork, doors and windows, and laying in oil the two west porticos, with digging, brickwork, carriages and carpenters' work requisite for all the works above mentioned.

Levelling the remainder of the churchyard and paving the West area.

Not dated, signed, or addressed.

[1711 ?]—Orders to Officers employed about St. Paul's, to attend [before a Committee of Parliament] with :—

Mr. Reginald Marriot, Auditor of the Accounts,
all the accounts, books, and papers, (in his own and clerk's custody) relating to the Coal Duty for St. Paul's, etc.

Sir Christopher Wren, Surveyor of the Works.

Lawrence Spencer, Clerk of the Works and Paymaster,
Minute Book and Book of Orders of the Commissioners, Book and Books and Papers of all receipts and payments to Lady Day 1698, Monthly Books, Books of Stores, Lists of Money-Distributions, Notes of Incident charges and allowances, Mr. Middleton's Accounts and Papers, with all other Books and Papers that concern the Fabric.

John Widdows, Clerk to Spencer.

Thomas Bateman, Comptroller of the Coal Duty.

— Russell and — Wood, two clerks,
Monthly Call-books to Xmas 1697, with such other books and Papers as pertain to their several offices.

Humbly Proposed. That all Books and Papers may be lodged in some convenient place under a lock, and the Chairman to keep the key, till the Committee has done with them.
Not dated.

Prop[ositions] on any petition for Coal Duty for Building a Church.

1. That the petition be referred to a Committee.

2. That the Commissioners for rebuilding St. Paul's Cathedral be ordered to deliver a State and Estimate of the Coal Duties for the term to come therein for rebuilding and finishing the said Cathedral, as also of all other moneys given, and yet depending, for that purpose, together with an account of all debts due and chargeable on the said Duties, at interest and otherwise.

3. That the said Commissioners deliver a schedule or particular of all work and ornaments yet unfinished and proposed at and about the said Cathedral, with an estimate thereof, together with a particular account of all bargains, contracts, agreements, propositions and orders for work, depending and unperfected.

4. That (in order to keep the said Cathedral decent, clean, and in repair when finished) the Dean and Chapter deliver a particular and distinct account of all the lands, rents, revenues, and profits, reputed to belong to the Dean, Dean and Chapter, Prebendaries, and Minor Canons, of the said Church, with an account how the same have been applied during the building and what part and how much thereof is applicable to repair and to what uses the rest: with an account also what choir-places were vacant from time to time while the Church was new building and how the money belonging thereto has been disposed of.

[1711.]—An account of receipts and payments for rebuilding and adorning ST. PAUL'S CATHEDRAL, LONDON, from the beginning thereof to 31 December, 1710; and a computation of future incomes and expenses for that purpose :—

INCOMES AND RECEIPTS.

From King Charles the 2nd's gift of arrears of impropriations not pardoned by the Act of Indemnity		2,626*l.* 18*s.* 11¼*d.*
Fines and forfeitures upon the Green Wax		527*l.* 1*s.* 4½*d.*
Collections upon Briefs		14,625*l.* 19*s.* 5¾*d.*
Commutation of Penances		440*l.* 5*s.* 0*d.*
Gifts, Legacies and Subscriptions ...		44,521*l.* 10*s.* 11*d.*
		62,741*l.* 15*s.* 8½*d.*
Deduct for reparations from 1 August to the Fire		3,795*l.* 12*s.* 5¼*d.*
Remainder for the Building		58,946*l.* 3*s.* 3¼*d.*
Stone and other materials sold for ...		1,807*l.* 0*s.* 5¼*d.*
Coal Duties by Act of Parliament, namely :		
22 Car. II. 4½*d.* out of 3*s.* per chalder ...	86,355*l.* 0*s.* 0*d.*	
1 Jac. II. 1*s.* 6*d.* out of 3*s.* per chalder ...	247,674*l.* 17*s.* 4*d.*	
8 & 9 Wm. III. 1*s.* out of 3*s.* per chalder ...	111,073*l.* 6*s.* 3*d.*	
1 Anne 2*s.* out of 3*s.* per chalder... ...	97,390*l.* 16*s.* 9*d.*	
	542,494*l.* 0*s.* 4*d.*	
Computed produce of the two last mentioned Duties during their continuance :		
The 12*d.* per chalder ...	65,100*l.*	
The 2*s.* „ „ ...	173,600*l.*	
	238,700*l.*	
		781,194*l.* 0*s.* 4*d.*
Legacies to receive		
Mr. De la Fountains ...	1,000*l.*	
Mr. Perkins	100*l.*	1,100*l.* 0*s.* 0*d.*
		843,047*l.* 4*s.* 0½*d.*

ISSUES AND PAYMENTS on account of Buildings and ornaments and interest on money borrowed to 31 December, 1710, shewing a balance in hand of 4,557*l.* 0*s.* 0¼*d.* (besides what may be saved in interest on money borrowed.)

An account of some proceedings, occurrences, and transactions, at and relating to St. Paul's Cathedral; with some observations thereon.

The Parliament thinking that the building was chiefly under the direction and management of Sir Christopher Wren, surveyor general of Her Majesty's Works, and being desirous to have it completed, suspended half his salary till the building should be finished, and this was done to oblige him to use the greater diligence therein: but they probably might not then know or consider that there were commissioners for the fabric who might intermeddle so far as to obstruct the progress, as indeed has happened, since Dr. Hare was made a residentiary [*marginal note*, the dean and residentiaries are Commissioners] for till then a great deal was left to Sir Chr. Wren and while it was so the building was carried on with great success, credit, and expedition, money was procured at 4½ and 5 per cent., materials were bought and work done at the cheapest rates and payments were punctually made for everything, and it was well the building was so nigh completed before a set of commissioners (resembling a junto) [*marginal note*, Bishop of Ely, dean of St. Paul's, Dr. Younger, Dr. Hare, Sir Thomas Mears and Dr. Harwood] took upon them to be managers; for if this had been done some years ago it is certain the building would have been very far from being so advanced as it is, and yet in all likelihood the expense would have been no less than it is.

The first thing of consideration that this possé or set of commissioners wrested from Sir Chr. Wren was the iron fence round the churchyard [*Marginal note* Iron fence undertaken by Mr. Jones] which they would have done of cast iron by Mr. Jones in a most expensive and absurd way [*Marginal note* The means used about it and his obtaining it] and though Sir Chr. gave sufficient reasons against it yet he was still overruled, nay though they were acquainted with the ill character of Mr. Jones and instances thereof mentioned to them—besides it was particularly told the dean, Dr. Younger and Dr. Hare that Mr. Jones had been burnt in the hand for manslaughter and that he had offered 200 guineas to Mr. Bateman to use his interest in procuring him the work. But all signified nothing for they broke through everything for the sake of Mr. Jones, the fence was to be of the extravagant sort and manner above and he was to be the undertaker. They have not forgiven Mr. Bateman for telling them of Mr. Jones's offer to him, etc., and the whole affair is so remarkable that a short narration of it may not be unacceptable. He made his application several ways and 'twas a considerable time before the deans of St. Paul's and Sarum, and Dr. Hare could effect the business for him though they laboured it all they could, and whether they had the money Mr. Bateman refused, or more, they only know, though all the world may judge of it by their zeal which was carried so high that nothing was to be hearkened to but what was on that side, and they were backed by letters of recommendation from the officers of ordnance for reasons that in some measure may be discerned in the sequel of the story; there were several meetings about it and the thing pressed with much vehemence against it whereby it was diverted till Christmas 1709 when he being taken ill the dean of St. Paul's, Dr. Younger, and Dr. Hare, thought it a proper time to carry their point and accordingly contrived that a meeting should be at Lambeth on a Saturday the latter end of January; the dean being at Eton Mr. Jones hired a coach and six horses (which by the way are not yet paid for) and forwarded therewith on the Friday in order to bring the dean to London the same day to be ready for Lambeth the next morning [*Marginal note* This story was told before a committee of the House of Commons by a member of the House and Mr. Jones owned it to be true] but when Mr. Jones got to Eton it happened that the dean had taken physic and could not come that day but promised to come next morning to Lambeth, for which purpose the coach and six were left at Eton and Mr. Jones took horse for London to acquaint Dr. Younger and Dr. Hare who took care to prepare a number to be in readiness at Lambeth at the time: then Mr. Jones went back to Eton and on Saturday morning came in the coach with the dean to Lambeth where they arrived at eleven o'clock when others were ready for them, but to their surprise Sir Chr. Wren appeared amongst them hearing accidentally of the design and resolving to venture (as ill as he was) and he again opposed the proceeding. But the dean, Dr. Younger, and Dr. Hare, came prepared with their possé and full bent to carry the business for Mr. Jones and accordingly the work was ordered for him at sixpence per pound, though Mr. Kaye (Her Majesty's smith) made a proposal at the same time to do the work at fivepence per pound and 'tis well known that he is an unexceptionable man, both as to his skill, ability, and honesty. However 'tis likely that there was somewhat to be included in Mr. Jones's price besides the bare paying for the value of the work for he had been at a great deal of trouble and charge in applications, etc. for which he was to have a recompence at the public charge; and the matter being thus ordered he was to go on with the work and to bring and set up specimens to be approved of by Sir Chr. Wren, which he was a long time a doing and at last nothing like what he himself proposed, which indeed he knew not how to perform, but the longsighted dean and the possé still helped him out, met as he desired, and said what he would have them; so in September, 1710, 1,000*l*. was paid to Mr. Jones and he was to have 1,000*l*. more when he had hung a pair of gates and put up two bays of ironwork on each side and that they were approved by Sir Chr. He did hang the said gates and put up the bays but Sir Chr. was so far from approving the same

[*Marginal note* see Sir Chr.'s paper of objections to the iron fence, No. 1] that he made his objections in writing against them which was delivered to the dean and others ; instead of regarding them, they said all was performed very well and orders were made for Mr. Jones to have more money ; but there being no money in hand the project was to get him securities in the Coal duty for 3,000*l.* which being to be executed by the Lord Archbishop of Canterbury, the Lord Bishop of London, and the Lord Mayor of London, or two of them, the Archbishop and Mayor could not be prevailed upon to execute the same, because the ironwork that was put up was not substantial nor workmanlike nor had been approved as was agreed, besides other reasons that they might have for refusing to sign the said securities. This put the dean, Dr. Younger and Dr. Hare, with others of the never failing possé, somewhat to a stand, but at last they resolved on a bolder step and ordered that 3,000*l.* should be paid Mr. Jones out of the first money that should be issued by warrant, which was a postponing of those who had lent money on the fund and were in a course of repayment. Hereupon Mr. Bateman (receiver of the duties), apprehending that there was some intention to divert the money from its proper uses, stated the case to Sir Edward Northey (Her Majesty's Attorney General) [*Marginal note* v. case and opinion No. 2] and had his opinion upon it, which was that the moneys arising by the duties were in the first place to be applied in paying off moneys borrowed and what money was wanted for the building was to be supplied by Loans. Mr. Bateman delivered copies of this opinion to the archbishop of Canterbury and the bishop of London and the same coming to the knowledge of Dr. Hare he procured a meeting about it and at that meeting shewed a displeasure at the Attorney General's opinion and expressed himself thus, viz. : " Why cannot those that have lent money stay for it longer ? " On which these two remarks may be made.

1. That it shews how far the Rev. Dr. regards (or sets himself above) maintaining credit and doing justice ; and

2. That he has no money of his own in the fund, as knowing how to make greater advantage of it than 5 per cent. And the doctor being thus coupled with Mr. Jones this may be a proper place to mention a matter that has made some noise in the world and that is about a Debenture which Mr. Jones received at the Office of Ordnance, of which I shall give a short relation. He being employed by the said office (among other things) to make some cohorn-mortars received a Debenture of 250*l.* for the same, dated 5 June, 1708, and the 17th day of the same month there was paid to him at the said office 100*l.* in part of the said 250*l.* and endorsement made of the said 100*l.* on the Debenture, according to the forms of the office. But Mr. Jones erased the endorsement and sold the Debenture for the prime value, which was afterwards detected and he is now under

prosecution for it [*Marginal note* v. copy of Indictment No. —] a bill of indictment is found and he is to be tried thereupon : and perhaps some may wonder that a fraud of this nature, committed in a public office and which on that account cannot but in some measure affect and disparage public credit, should be stifled and lie dormant for two years or more, nay it may add to the wonder that since the present Lords of the Treasury directed a prosecution (which they did as soon as they were informed of the fact and 'tis likely there would never have been any prosecution if they had not used their authority) the Officers of Ordnance [*Marginal note* Officers of Ordnance] have framed excuses for their friend Mr. Jones, have used, or suffered, most shameful evasions, delays, and shiftings, in the prosecution ; but their reasons are as yet only known to themselves and till they think fit to tell them to the world 'tis left to everyone to make his own judgment and animadversion on their discharge of their trusts in this matter : to which I shall add some other excuses that have been made for this erasement and the first is Mr. Jones's own vizt., that he could not sell the Debenture [*Marginal note* Jones's excuse about the Debenture] with the endorsement on it, so he erased it and then went to market with it and sold it.

The next is [*Marginal note* Dr. Hare's excuse about the Debenture] what Dr. Hare said in excuse of Mr. Jones, vizt., " That he erased the endorsement only to make an experiment and that he restored the 100*l*. " On which it may be remarked that 'tis not known whether this is the first fraud that Mr. Jones has practised of this kind nor whether he might not have gone on to make more such experiments, if this had not been detected and as to his restoring the 100*l*. a thief may do the same, when apprehended, but is he the honester for it ? or is it to be reckoned to extenuate his crime or to stop his prosecution ? But notwithstanding this thing is so notorious and has made so great discourse, it has not stopped the dean, Dr. Younger, and Dr. Hare, from patronizing, encouraging, and countenancing Mr. Jones all manner of ways, but they study everything, (or rather act, as he prompts them) to bring him into play and to get business for him, and one contrivance is for his making the fence round the Queen's statue to be set up in West area at St. Paul's, which the Queen was pleased to give marble for on Sir Chr. Wren's application, and the statue, with figures and pedestal, being in good forwardness, the junto ordered that the fence round the same should be done after such model as they only should approve, which order was made on Mr. Jones producing a pattern of a balister in wood which was to be their model and to have their approbation, and to prevent Sir Christopher going on with a design suitable to the rest of the performance : but he, looking upon this their meddling to be an affront to the Queen, who had so largely contributed to so great an ornament at the church, represented [*Marginal note*

[*See*] representation about the Queen's statue, No. 4] this their treatment to Her Majesty, thinking it his duty to inform her thereof, and all the world may see by it how little respect or gratitude they shew to the Queen. One thing more may be mentioned to shew their zeal for their artist Mr. Jones; and that is, that the ornaments round the top of the church shall be rail and balister; not that they are judges of what ornaments are proper but that they may be done of cast iron and that Mr. Jones may have the doing thereof, as he has given out he is to have.

And now that something has been said of Mr. Jones, some that espouse him so much may properly be mentioned next [*Marginal note* Dean and chapter's charity, or abuse of it] and the first shall be the dean and residenciaries in a body whose regard to charity I shall give two instances of, the first is concerning some money that was given at the Stairfoot Door leading to the top of the church which during some part of the building (and so soon as it was known to amount to anything considerable) was applied (though not by the dean and chapter's means) to these purposes, vizt.:

1. To surgeons and apothecaries for cure of men hurt and maimed in the works.
2. To widows whose husbands were killed in the works.
3. To putting out and clothing apprentices.
4. To men disabled in the works and past their labour, with conveying some of them to their places of nativity.
5. To coroners and for funerals charges of men killed in the works.

But the dean and chapter have thought fit to stop this charity (by what power may be another inquiry) and to appoint it to be divided among their minor-canons, lay-vicars, and virgers, who have but scanty allowances, and this way may better augment them than by money out of the dean and chapter's pockets.

The next instance is the Communion Money [*Marginal note* Weely the singing man had 20*l.* per annum out of it, paid by quarterly payments] which has (to ease themselves) been likewise applied to the charges of their choir.

The first instance shews their stopping of one charity and the second their misapplying and abuse of another. And the dean and chapter are not only careful to save their money this way but being called upon by a Committee of the House of Commons for an account of what belongs to the repair and support of the church, they prudently gave it in at 4*l.* 6*s.* 0*d.* per annum (vizt., a guinea apiece). How far they may be believed need not so much be asked as how much they have improved by Mr. Jones in attempting to impose on the world. But it may not be hard to set this matter right, nor perhaps will a time be wanting to shew that the residenciaries are near upon a level with other prebends and that all their revenues are liable to the support and maintenance of the Church. But to go on with their good management for themselves. The Act of Parliament which (among other things) provides for purchasing some houses on the north side of the Church the better to secure it from accidents of fire directs that the purchase-money computed for their interest in the said houses shall be laid out in purchasing lands and tenements in fee simple to be settled upon them and their successors in right of the said Church, but they have wisely taken care to split the said purchase money and ordered the agreements so as to have a good share of the purchase money into their own pockets and that the rest only be laid out for the benefit of the Church. Whether the Court of Chancery will allow this is not yet determined but their design is very evident and shews their foresight not to say their covetousness, under which character I shall leave them, with the additions it may receive from their patronizing Mr. Jones, whose further promotion is that Mr. dean of St. Paul's has given him his commission to be surveyor of that cathedral, as he had before for being his domestic superintendent.

Another thing is that the better to get some persons to meet them and the better to colour their own violent and irregular methods to favour Mr. Jones and to get him money, they pretended to have found out some abuses committed by the master carpenter which were to be examined ; accordingly there were several meetings and that business mentioned now and then, but the main drift was money for Jones, however the other was kept on foot and the carpenter was made the object of their resentment so far as that at last they made an order for his dismission, though he gave answers from time to time sufficient to satisfy any impartial persons whatever. But their measures were not taken from reason or justice and to mention but an instance of two of that examination Jones procured some under-carpenters to give information as he and Mr. Spencer (clerk of the Works) instructed them, and some of them kept to the point but others forgot their lesson and faltered and when that happened Dr. Hare's constant expression was " This is not to the purpose " and so dismissed them : and it happened that two men who had been tampered with and that the dean, Dr. Younger, and Dr. Hare, had hopes of and expectations from quite failed them by telling the truth that they could say nothing against their master, for which reason they were immediately turned out of the works.

But promises of employments and other rewards were made to those that would say what they were taught and inform as they were instructed [*Marginal note* Subornation] ; whereof and of some other vile attempts a scene may be opened some time or other.

Two things more ought to be mentioned :—

1. A reason that the dean and residenciaries may have to allot part of the Charity Money to their virgers; which is, that

one of them having got a woman with child in one of the vestries, provision is to be made for it as well as for the father and mother for such propagation ; he being continued in his place with all indulgence and encouragement.

2. Sir Thomas Mears's gratitude to Mr. Jones for picking up common women and carrying them to his house to be entertained at supper and to divert him ; for which Sir Thomas gives them the title of Angels and appears on all occasions to promote what Mr. Jones would have him. [1711.]

Note.—Since the above (vizt., the 19th of April) the Lord Mayor executed the securities for money for Mr. Jones. [*This note and the marginal notes are in the handwriting of Sir Christopher Wren.*]

(Works).

A State of Coal Duties for rebuilding and adorning the CATHEDRAL CHURCH OF ST. PAUL, London.

1712, April 28.—One duty is 12*d.* per chalder, granted from Michaelmas 1700 to Michaelmas 1716, and another duty is 2*s.* per chalder for eight years from 15 May 1708, exclusive.

The medium of the importation being found to be 338,000 chalders *per annum*, the same at 12*d.* per calder amounts to ...	16,900*l.* per ann.
Whereof one sixth is appropriated to Westminster Abbey and one fifth of the remainder (or another sixth of the whole) to the towers of some London Churches, vizt.:	5,633*l.* 6*s.* 8*d.*
Remains for St. Paul's	11,266*l.* 13*s.* 4*d.*
Whereon there remains borrowed 16,200*l.* at interest, and 550*l.* without interest, in all	16,750*l.*
And on the 2s. per chalder (which duty is all applicable to St. Paul's) there remains due of moneys borrowed and secured ...	102,150*l.*
On both duties	118,900*l.*

The interest being 5 per cent. per annum and paying off principal supposed to be quarterly, the following scheme is to shew how the said debt will work off and what the overplus of the duty will be after discharging the same.

The above scheme set out, giving the estimated means of working off the debt, and what the overplus of the Duties will be after discharging the debt.

Estimates of and about ST. PAUL'S, 24 June, 1712.

1. State and Estimate of the Duties on Coals and Culm for Building, Finishing, and Adorning the Cathedral.

2. State of Debts due on the Building, with a scheme for paying the same.

3. An estimate of work in hand and unfinished and of incidents relating thereto ; as also of Debts unstated, and some ornaments proposed there.

OFFICE OF WORKS.

GREENWICH CHURCH.

1710-11, March 23.—The observations of the Dean and Chapter of St. Paul's upon the Estimate given in by Sir Christopher Wren to the Committee of the House of Commons for Greenwich Church according to their directions to the said Dean and Chapter, March 7, 1710-11.

1. This estimate was given in before it had been laid before the Commissioners for Rebuilding the Church, or any part of it, although desired by them at their meeting February 20, that is 10 days before it was given in to the Committee, from whence we apprehend Sir Christopher Wren intends to preclude the Commissioners from a liberty of altering anything in the estimate that shall appear to them proper, when the nature and powers of their commission are such that nothing ought to be done without their appointment and consent ; and this we apprehend to be done chiefly with respect to the ironworks that remain to be done and the ornaments for the top of the Church in which the Commissioners may find reason to differ from Sir Chr. Wren, but have not yet determined anything.

2. We find several particulars omitted, such as a Litany and Reading Desk suitable to the magnificence of the Church : fitting up a room on the north side appointed to be part of the Library, and finishing the Dials of the South West Towers. To which we beg leave to add the purchasing of a recompence for tithes and other dues, payable out of the houses to be pulled down to the Rector of St. Gregory's and to the Minor Canons, for which in his former estimates there was allowed 375*l.* 6*s.* There was likewise in the former Estimates an article for a royal furniture which was accordingly ordered at a meeting of the Commissioners at Lambeth, 11 February, 1709, which we understand Sir Chr. could not now be prevailed with to give in, but in a separate paper. There is one thing more which 'tis the general opinion ought to be done, the present painted pillars at the Altar which are of Portland stone should be taken down and marble ones put in their room, which, if done, will be a work both of expense and time.

3. We apprehend several particulars to be underestimated, as: digging the foundations of some walls, levelling the church yard, and carrying away the rubbish, estimated at 438*l.*, brickwork 108*l.* to mention no others. But it is impossible for us, unless we had an exact survey of all the works laid before us and had the opinion of able workmen upon them, to make certain judgment upon the particulars

of this estimate, but from all experience hitherto we have reason to think they will be found to be underestimated; and do believe that it will appear upon examination that he never made an estimate for 50,000*l.* or indeed a much less sum that did not prove deficient by at least a fifth or sixth part, and it is certain his estimates have often fallen short a great deal more, and therefore we desire this Committee to consider which way this Church can be finished if this estimate prove deficient and the remainder of the money given by Parliament should be otherwise applied.

4. We apprehend it is impossible the work can be done in the time proposed, the painting of the church, as all painters agree, requiring at least two summers; and the chimes and other works will not, we believe, require less time; and the continuance of the work beyond the time proposed will affect two other articles in this estimate, salaries put at 480*l.* and labourers and watchmen reckoned at 540*l.*, which sums are for one year only.

5. Whereas Sir Chr. in his estimate reflects on the Commissioners for not complying with him that the fence of the churchyard should be of hammered iron, in respect to his great and extraordinary abilities shewn particularly in the building of this church we do decline entering further into that matter than to observe that no work about the church has been better considered or more unanimously agreed on, as appears by the annexed extract of our Minute Book; and as to the price agreed for 'tis the same that other artificers brought by him gave in to the Commissioners and was not agreed to but with Sir Christopher's consent, and if the expense prove greater than was expected 'tis wholly owing to his causing spikes to be added to the value of 1000*l.*, which were not in the first proposal, and to his directing the bars to be made much bigger than the pattern given in to the Commissioners who in respect to Sir Christopher did leave it to him to settle the model; and we doubt not but everybody, upon sight, will be convinced that this fence of cast and turned iron is far more durable, as well as beautiful, than hammered iron would have been and that the work is well performed. To prevent the church from coming again into the like ruinous condition it was in before the fire and that so magnificent a building may be preserved in truly good repair, the Commissioners have all along hoped that after the building should be finished, if the money given would allow it, a sum should be laid aside for repairs, it being evident that the want of a sufficient sum was the cause of the great decay of the old church; and in the opinion of Sir Christopher Wren a much greater expense will be necessary to keep the new church in repair. We therefore humbly desire that the Committee take into consideration the annual expense of repairing so great a building and that a proportional sum be appointed for a perpetual growing fund to be applied solely to this use.

Extracts of the Minute Book.

March 2, 1708-9. Present, The Archbishop of Canterbury, the bishops of Ely and Lincoln, Sir John Cooke, Sir Chr. Wren, the deans of St. Paul's and Salisbury, and Drs. Bramston, Hare, and Harwood.

Ordered that Mr. Jones bring in estimates for both his bigger and lesser cast and turned ironwork, and Mr. Robinson do the same for his hammered or turned or cast ironwork, in writing, on Tuesday, April 5,

Which accordingly they did.

April 5.—Present, as above, without the archbishop, and with Sir Tho. Meares, the dean of St. Asaph and Sir Henry St. George. The archbishop not being present it was ordered that the consideration of Mr. Jones' and Mr. Robinson's proposals for ironwork be adjourned to the next meeting.

Jan. 28, 1709-10.—Present, The archbishop, the bishop of Ely, the deans of St. Paul's and Salisbury, Sir Chr. Wren, and Drs. Hare, Bramston, and Harwood. Resolved :—That the fence be of cast iron and Mr. Jones be the person to do the same. And Mr. Jones being called in agreed to do the work at 6*d.* per pound ; the model of which to be subject to such alterations as Sir Chr. Wren shall direct, and the workmen to be chosen by the Commissioners. The work to be finished in eighteen months.

N.B.—The meetings in which this work was considered were larger than usual and great part of the sitting was spent in carefully examining and considering it, and the Commissioners in all their meetings were unanimous for cast and turned iron, Sir Chr. Wren alone excepted.

March 12, 1710-11. Present, The bishop of Ely, Sir Tho. Meares, the deans of St. Paul's, St. Asaph, and Salisbury, and Drs. Hare and Harwood.

The observations of the dean and chapter of St. Paul's upon the estimate given in by Sir Chr. Wren having been laid before these Commissioners for Rebuilding the church of St. Paul's, it was unanimously approved in all the parts of it.

Copies.

Sir Christopher Wren's answer to the above observations upon his estimate for finishing that Cathedral.

To the Committee of the House of Commons for Greenwich church, etc.

The dean and chapter having delivered to you their observations on my estimate I beg leave to lay before you my answers thereto, and to

1. I thought the order of this Committee sufficient authority to prepare the estimate required without consulting the dean and chapter. I did think myself (with all submission) capable of doing it and I presume you thought me to be the proper

person to do it. I cannot but think also that the Parliament looked upon me to have the sole direction of the building, and that it was in my power to hasten or protract it, when they suspended a moiety of my salary till all should be finished; for it cannot be imagined that they would have passed such a clause if they had thought me to be under any restraint in directing and carrying on the work. But as the dean and chapter insist upon the commission to them and others for the fabric and take in a manner all power out of my hands, I shall only say these two things thereto, vizt.:

1st. If they had done so upon the last money being granted the church would have been far from being so nigh completed as it is and yet (I am confident) no less money would have been expended than there is. 2dly. As they take the direction of the work from me, I hope it will seem reasonable that I be relieved in the suspension of my salary, and I humbly leave it to be considered by this honourable committee.

2nd. I do not know that I have omitted anything needful for there is already a very good Litany and Reading Desk; there is a library very well fitted up capable of containing more books than are likely to be put into it in many years; there are three large and fine Dyals finished and fixed in the Southwest Tower; a recompence for tithes to the rector of St. Gregory's and the Minor Canons is included in the article of purchases mentioned in my estimate though, I believe, there's no provision in the Act for laying out the money in that way. As to what they call royal furniture, I mentioned it in a separate paper for these reasons, 1ly I did not take it immediately to concern my province, but 2dly seeing they would have me to take notice of I gave it its true name, vizt., a Duplicate or Reserve Set, for there is already a very fine and good set of furniture for the choir, and (with submission) I cannot think the public money is applicable to such a Reserve Set any more than to laying in a stock of lead or other materials for future repairs.

3d. As to what they say of my underestimating things my answer is that I have persons in readiness who will undertake (and give security) to perform the items of my estimate, in the best manner, for the respective sums and within the time mentioned, and finishing all by Christmas next (if the same be left to my direction), excepting the Chimes with Ring of Bells and the ornaments round the top of the church. I did not think it needful to reckon salaries or for labourers and watchmen longer than to Christmas for though those two last articles (in case they are resolved on) will require further time, yet they are to be done by contract and there is no occasion to keep officers, labourers, or watchmen, in pay on that account; and this may serve for an answer to the 4th observation. Then to the

5th. I answer that there was indeed a majority against me about the iron fence but when it was so carried I think the archbishop of Canterbury did not declare himself for it, and I leave it to the dean and chapter to reflect upon what his grace has said concerning that matter; then the bishop of London was not at that meeting and I have no reason at all to alter my own opinion though a great deal to confirm me in it from the part of the fence which is put up, which is far from being performed workmanlike, and I cannot but think it altogether absurd and the price extravagant, besides the fence was to be cast and turned iron, whereas the balisters only are turned and the rail neither turned nor otherwise smoothed. But I own myself obliged to the dean and chapter for clearing me from having a hand in it and I promise I will never envy the credit they may get by it.

Copy.

Commissioners for building FIFTY NEW CHURCHES.

[1711 ?]—Proposed, That Mr. Bertie and Mr. Smithson be Commissioners as knights of the shire for Middlesex, Mr. Medlicot, and Mr. Cross, as members of Parliament for Westminster.

And the same for the representatives of London.

That all designs of churches be submitted to the approbation of Her Majesty or such persons as she shall from time to time direct.

Additional Names.

Sir Nathaniel Lloyd.
John Bettlesworth, Dr. of Laws, principal official of the arches court of Canterbury and vicar-general to the archbishop of Canterbury's court.
Sir James Bateman.
Tho. Foley.
Geo. Clarke.
Reginald Marriott.
Robert Child.

OFFICE OF WORKS.

BLENHEIM PALACE.

J[ohn] Vanbrugh to Robert Harley.

1710, September 30. Blenheim.—Although in the carrying on this building of Blenheim, it has not been properly my business to solicit the money for it, but to take care of the design, the execution, and the contracts, I hope you will not blame me if, looking upon it much more as an intended monument of the Queen's glory than a private habitation, I am so much concerned for it on the former account as to represent to you the extreme necessity there is for some immediate supply purely to close and terminate what has been carried on this summer in such manner as may secure it from receiving vast injuries from the winter rains and frosts. I can't help looking on this building with the tenderness of a sort of child of my own and therefore hope you will forgive my troubling you for its preservation.

The Same to the Same.

1710-11, February 12.—The Duke of Marlborough has ordered me to beg you'd give me leave to wait upon you with something relating to Blenheim before he goes away. Whenever you please to spare me a minute or two I'll attend you and take up but very little of your time.

Mr. Vanbrugh's estimate for the works at Blenheim.

1711. June 15.—Works which the Duke of Marlborough has desired may be done this year.

1. To finish the West Towers of the main buildings with the balustrades and ornaments of masonry, which is all that is wanting to complete it on the outside.
2. To finish the colonnade that leads from the Great Gallery to the Chapel.
3. To complete the paving and walls of the Great Court.
4. To finish the Offices about the Kitchen Court and pave it.
5. To make the steps up to the Great Portico and pave it.
6. To complete the Bridge.
7. To finish the house within doors from the Great Hall eastward.

If these 7 articles be performed this year (which it is not yet too late to do) the house will be habitable.

Inconvenience.	
The charge for this work will come to about	20,000*l.*
There will then remain to complete the design of the whole :	
1. To vault the grott which runs under the Great Gallery.	
2. To finish the Salon and all the inside of the house from thence Westward.	
3. To finish the Chapel.	
4. To build the two Greenhouses.	
5. To build the Stable Court.	
6. To build the Great Gate.	
7. To complete the Walls, Peers, and steps of the Gardens.	
8. To finish the walks and level the ground about the house.	
9. To make the gates at the entrance of the two avenues.	
These nine remaining articles may be compassed next year and will cost about	35,000*l.*
The present debt is about	32,000*l.*
The whole sum wanted to pay the debt and complete the design is computed at ...	87,000*l.*

J. Vanbrugh.

A State of the Account of money issued out of the Exchequer for the Works. Made December 14, 1711, for the ten first orders : to which is now added a State of the Accounts for the 11th order.

A copy follows of the first Sign Manual, dated June 21, 1705, Warrant, and Order, for the said Building in which the direction for the whole account to be made is set forth, all the subsequent ones being agreeable thereto.

Acknowledgment of the receipt, pursuant to the above sign manual, of	20,000*l.*
The like, pursuant to nine like signs manual issued between December 20, 1705, and December 21, 1709	180,000*l.*
	200,000*l.*
Against which,	
Treasury Fees	129*l.*
Exchequer Fees	5,016*l.* 13*s.*
To the Clerks of the Works authorized to pay labourers and carters and for materials, carriage, etc., together with a large number of payments made to other persons named, as examined by	

vouchers produced to Mr. Tailer, bringing the total and other payments to	199,917*l.*	7*s.*	5*d.*
Leaving a balance of	82*l.*	12*s.*	7*d.*
A State of the Account of the 11th Order for 20,000*l.* issued to Mr. Tailer for the Works aforesaid.			
Received by balance aforesaid	82*l.*	12*s.*	7*d.*
Received at the exchequer in pursuance of a Sign Manual dated July 17, 1711, at twenty several times	20,000*l.*		
	20,082*l.*	12*s.*	7*d.*
Against which,			
Paid fees at the Treasury	26*l.*	9*s.*	
Paid fees at the Exchequer	501*l.*	18*s.*	3d.
A number of payments to other persons, named, bringing the total payments up to within 835*l.* 16*s.* 7*d.* of the balance in hand.			

Paid the 30th of July, 1712, to Mr. Henry Joynes, one of the Controllers of the Works the abovesaid balance by warrant of Samuel Travers, Esq., for the use of the said works. So this Account even.

This is a true Account extracted out of the fair Book of Accounts of Mr. John Tailer, deceased, late paymaster to the Works at Blenheim in Woodstock Park. William Munday.

EDWARD WILCOX to the TREASURER.

1711, June 21.—In obedience to your Lordship's commands signified by Mr. Lowndes's letter yesterday directing an account to be sent him of what timber has been delivered out of Her Majesty's forest for the building at Blenheim, I humbly certify that, pursuant to warrants dated 13 July, 1709 and 5 July, 1710, I have delivered in Whittlewood forest 480 loads of timber worth 55*s.* per load which amounts to the sum of 1320*l.* of which upon my late survey I found about 150 loads still in the forest for want of carriage which (as I am informed) will be sufficient to finish all the building that is yet directed.

SIR CHRISTOPHER WREN, and J. VANBRUGH, to the Lord High Treasurer.

1711, June 29.—Office of Works, Whitehall.—In obedience to your commands dated the 20th instant, We humbly crave leave to acquaint you that 8 large blocks of statuary marble were delivered out of the Office of Works, by Her Majesty's commands, by warrant under the late Lord High Treasurer's hand, dated 11 April, 1709, for the service of the building at Blenheim containing 580 feet, worth about 580*l.*, but being in very large blocks for particular uses may be reckoned of greater value.

Estimate of the Yearly Income of the D[uke of] M[arlborough] by places.

[1711 ?]—Plenipotentiary to the States	7,000*l.*
General of the English on Howe's establishment	5,000*l.*
General in Flanders on Bridges establishment	5,000*l.*
Master of the Ordnance	3,000*l.*
Travelling charges as Master	1,825*l.*
Pension	5,000*l.*
General of the States	10,000*l.*
From foreign troops in English pay at 6d. in the pound as per warrant	15,000*l.*
For keeping a table	1,000*l.*
The D[u]chess M[arlborough.]	
Keeper of the Parks	1,500*l.*
Mistress of the Robes	1,500*l.*
Privy Purse	1,500*l.*
Groom of the Stole	3,000*l.*
	62,325*l.*

N.B.—The Princess of Denmark's yearly income was but 30,000*l.* till heiress presumptive to the Crown and then but 50,000*l.*

[*In Harley's handwriting.*]

JOHN VANBRUGH to the DUKE [OF MARLBOROUGH.]

1712, November 4.—" In pursuance to your Grace's command, I here give you an account of what passed with my Lord Treasurer, when (by your Grace's direction) I applied to him for money towards carrying on the building at Blenheim.

Last June was twelvemonth, by his Lordship's order, I waited on him at the Treasury, with a state of the debt, an estimate of the future charge, and an account of what your Grace desired might be carried on that year.

My Lord was pleased to ask me, if I had well considered the estimate, so as to leave nothing out.

I said there were many things left out, that I believed your Grace might think fit to do in time, at your own expence; but I hoped the sum I mentioned might carry the design as far as I understood, the Queen at first intended should be done, on a public consideration.

I thought my Lord seemed the better satisfied with what I said, finding the sum necessary to finish the design, vastly less than (as I was told) he had been informed it would be.

He was pleased soon after to procure the Queen's Sign Manual for 20,000*l.* and told me, he would get a further supply as soon as possible.

I acquainted the chief undertakers with what had passed at the Treasury; upon which encouragement they went on with the work, without insisting that all the money then issued, should go in discharge of the debt, which otherwise, they would have done.

The debt now owing, is very near if not full	40,000*l.*
and there requires according to the estimate given in to my Lord Treasurer to finish the work about	35,000*l.*
	75,000*l.*

Docketed by Oxford. Received from D. Marlborough. Nov. 6, 1712.

BLENHEIM HOUSE.

(WORKS).

[1712.]—Mr. Vanbrugh's account of what has passed at the Treasury about Blenheim House since the removal of Lord Godolphin.

Being at Blenheim 30 September, 1710, I writ to the Duke of Marlborough then in Flanders, as follows:—"My Lord Duke, I acquainted your Grace before I came out of town that there was a likelihood of money being ordered for your service here; but it not being yet done and Mr. Travers desiring me to join in the solicitation for it, I writ a letter this post to Lord Poulet of which I here enclose a copy. I hope your Grace will approve of what I have said to him. I'm sure at least 'tis most heartily meant for your service."

Copy of the Letter to Lord Poulet.

1710, Sept. 30. Blenheim.—"It not having been my part in carrying on this building at Blenheim to solicit the late Lord Treasurer for the money but only as surveyor to design and direct it, I do not now think it proper for me to lay any memorial before the Treasury Board, leaving that to the care of Mr. Travers, as formerly. But finding things here on the point of falling into a distraction not to be expressed from the great arrears due to a vast number of poor families, and not hearing anything certain of money being immediately ordered in some measure to relieve them, I thought it might not be amiss to acquaint your Lordship in particular with something relating to this work which very probably you may not have heard. Your Lordship will make what use of it you think proper.

When the Queen had declared she would build a house in Woodstock Park for the Duke of Marlborough and that she meant it in memory of the great services he had done her and the nation, I found it the opinion of all people and of all parties I conversed with that although the building was to be calculated for and adapted to a private habitation yet it ought at the same time to be considered as for a royal and a national monument and care taken in the design and execution that it might have the quality proper to such a monument, videlicet beauty, magnificence, and duration. I must own I was very glad to find the general notion so entirely agreeable to my own and was encouraged by it to do all I could, sometimes obstinately and sometimes artificially, to get such a fabric agreed to as I thought the happy occasion and the Queen's glory required. However that the Queen herself might not be deceived in what she directed and be afterwards dissatisfied with it, a very large, exact, and intelligible model of the building was made in wood and when it was completed it was set in the gallery at Kensington by her order and there left sometime that she might consider it at her leisure, both alone and with other people. She was pleased to view it thoroughly with the Prince and to ask all questions necessary for her understanding it perfectly. She expressed herself extremely pleased with it, shewed a desire of having it despatched with all application and required no sort of alteration in it. The model I have carefully preserved at Kensington that it may appear I have exactly followed it.

As to the management in the expense, I should be very glad to have occasion to answer to every article of it, but perhaps the whole will be pretty well justified by one observation I am glad I have every day occasion to make which is that the expense is by all people judged to be twice what I know it will be." *Signed*, J. Vanbrugh.

By the same post I writ the following letter to Mr. Harley the Chancellor of the Exchequer :—

1710, September 30. Blenheim.—"Although in the carrying on this building at Blenheim it has not been properly my business to solicit the money for it but to take care of the design, the execution, and the contract, I hope you will not blame me if looking upon it much more as an intended monument of the Queen's glory than a private habitation for the Duke of Marlborough, I am so much concerned for it on the former account as to represent to you the extreme necessity there is for some immediate supply purely to close and terminate what has been carried on this summer in such a manner as may secure it from receiving vast injuries by the winter rains and frosts ; for it is so long since any money has been issued for this work that the credit is extended beyond even the power of getting in a little lime and bricks to complete some things at the very point of finishing and boards to cover other parts that could not be quite got up this season. I cannot help looking on this building with the tenderness of a sort of child of my own and therefore hope you will forgive my troubling you for it's preservation."

The same post I sent another letter to Mr. Travers to lay before the Treasury. Three days after there came an express order from the Duchess of Marlborough to put a general stop to the building till money should be ordered from the Treasury to go on with it. And a stop was put accordingly. I then came away to London and found at my house the following letter from Mr. Taylour of the Treasury ;—

1710, October 6. Treasury Chambers.—" The Lords Commissioners of Her Majesty's Treasury command me (in the absence of Mr. Lowndes) to acquaint you that their Lordships having represented to Her Majesty the condition that the building is in at Blenheim, as stated in your letter to Mr. Travers the 30th past, and the great want there is of an immediate supply of money for it, that you may not be forced to leave off, uncovered and exposed to the injuries of the winter, what is so near a close. Her Majesty was pleased to say that although the condition of her revenues and the arrears due to her servants and family are such as will not at present allow of what may be necessary for carrying on that work so fast as she could wish, yet she would by no means have what is so far advanced left in a condition to be injured by the approaching winter and therefore directs that you do immediately send their Lordships an account of what money is absolutely necessary for covering in so much of the work as you proposed to finish before winter that directions may be given for supplying the same in the best manner that may be."

Four days after I delivered into the Treasury the following Memorial.

1710, October 10.—"May it please your Lordships. By your Lordship's commands I beg leave to represent that this whole summer season happening so much more favourable than usual for carriage of materials and raising the shell of the house I thought it would be extremely for the service of the building to make an extraordinary effort for covering in (if possible) the whole at once. That, therefore, I used my endeavours to prevail with the workmen and those who furnish materials to give what credit was possible for them to do : which having occasioned a much greater arrear than on the close of other years has caused the difficulties your Lordships have been acquainted with, and which are now so great (the whole work having been at a stand) that I do not see it will be possible to perform what is absolutely necessary for securing it from the great mischiefs of the approaching winter with less than an immediate supply of 8,000*l.* which is humbly submitted to your Lordships."

Upon this Memorial 7,000*l.* was issued and the building was covered up till next summer when waiting upon my Lord Treasurer by the Duke of Marlborough's directions to know the Queen's farther pleasure, his Lordship was pleased to order

I should lay before him a state of the debt, an estimate of the future charge, and an account of what the Duke desired might be carried on that season.

I waited upon him at the Treasury accordingly and gave him in writing what he required; upon which he asked me if I had well considered the estimate so as to leave nothing out. I said there were many things left out that I believed the duke might think fit to do in time at his own expense, but I hoped the sum I had mentioned might carry the design as far as I understood the Queen intended should be done on a public consideration. My Lord was pleased to say he would receive the Queen's orders upon what I had represented and some time after he obtained her sign manual for 20,000*l.* telling me that he would look for a farther supply as soon as possible. I acquainted the chief workmen and undertakers with the Queen's resolution to go on with the building, upon which encouragement they went on with the work without insisting that all the money then issued should go in discharge of the debt, which otherwise they would have done.

Memorial of Samuel Travers, esquire, to the Earl of Oxford.

Her Majesty having by several warrants under Her sign manual appointed him to direct the payment of considerable sums which she has been graciously pleased to issue for the service of Blenheim in Woodstock Park, and the Duke of Marlborough having, pursuant to directions in the warrant, caused an Account to be made up how the sums issued on the warrants have been expended, as also an Account of the debts, his Grace has directed him to present the said accounts to Oxford, to lay the same before the Queen for her satisfaction; which accounts are hereunto annexed.

Thinks it his duty, with all submission, to represent that the work having now been discontinued for almost a year, and some parts thereof remaining unfinished, particularly two Towers which are exposed to the rain, 'tis to be feared what is already done will run to decay whereby Her Majesty's great bounty hitherto will fail of its intended effect if some further care be not taken.

All which is most humbly submitted to your Lordship's great wisdom and pleasure. [1712.]

Undated.

(Works).

S. Travers to the Earl of Oxford.

[1711, March.]—In obedience to your command I am here with Mr. Vanbrugh to attend your lordship about the Duke of Marlborough's affair at Woodstock.

Minuted. Make an account of what the works at Blenheim have cost.

The account in the inside.

Paid from Michaelmas, 1704, to Michaelmas, 1710...	213,000*l.*
Besides the value of timber out of Her Majesty's forests and blocks of marble out of the Office of the Works.	
Paid as within	213,000*l.*
Marble about	580*l.*
Timber about	1,320*l.*
	214,900*l.*

BLENHEIM HOUSE.

1712. A State of the Accounts of Blenheim Works in Woodstock Park, co. Oxford, made 14 December, 1711, for the 10 first orders, to which is now added a state of the Accounts for the 11th Order.

Copy.

Docketed. 17 November, 1712.

Copy of the State of the Accounts of Blenheim made by Mr. Tailer for the 20,000*l.* and also a State of the Accounts for the 11th, 200,000*l.* issued to him for Blenheim Works: whereunto is annexed an account of the debts; also Mr. Travers memorial.

JOHN VANBRUGH to the MAYOR of WOODSTOCK.

1712-13, January 26. Whitehall.—Having long had it at heart to see the town of Woodstock so improved in buildings and other things, as to bear some proportion with what strangers may reasonably expect to find in a borough town, joining to so great a palace as Blenheim, I several times spoke to my Lord Duke about paving the market place, which he seemed well inclined to, and I believe had done ere now, but for the continual plague, and bitter persecution he has most barbarously been followed with, for two years past. However upon his going away, I mentioned this thing to him again, and he left such directions with those who take care of his affairs, that I have at last commission to tell you, it will be done, and that I am desired to take some care of it, and to consult with you and the corporation about the manner and extent of it, which I design to do, as soon as I can possibly come down. I desire, if you please, that in the meantime, you will be considering with the other gentlemen, of anything necessary to have regard to in it, that when I come down, all dispatch may be made, to begin the work which I hope will not only be to the pleasure and beauty of the town, but prove of good service likewise, in respect to your fairs and markets."

Postscript.—I have lately received some very good hopes that the Treasury will pay the Blenheim debt, my Lord Duke having offered to advance the money if they will give him only tin tallies which will not be payable to him in seven years, nor sure then. If it be once resolved to pay this debt, I don't doubt but the building will go on again, and my Lord Duke return to inhabit it.

Docketed in Oxford's handwriting. Mr. Vanbrugh's letter to the Mayor of Woodstock. Received from Mr. Vanbrugh. himself, Feb. 20.

Copy of the above. Certified by Tedgwick Harrison, Wm. Foulkes, Bar: Jones, Merrek Jenkens.

JOHN VANBRUGH to [the EARL of OXFORD.]

1712-13, February 21.—"I beg leave to trouble you with one word more upon what you were pleased to speak to me yesterday. I think I stand blamed for two things, meddling with the election, and reflecting on somebody or other in behalf of the Duke of Marlborough.

To the first, there is not one word in my letter that tends to the election, nor am I any more concerned in that than the pavior that should be sent down to lay the stones would be, being only desired to give direction in the manner of doing it, which I was ready to take the trouble of, having so long wished to reform that town, to the neatness and cleanliness of the towns abroad, that I have several times solicited the people of the place and strangers that came there to join with me in doing it by contribution. So that all my concern in this was, that I was glad of any opportunity to get the thing done, without regard to the political part of it. This is the truth, which I hope your lordship will take, as I faithfully relate it.

As to the other part I am blamed for, I can only repeat what is true, that I meant nothing more than the persecution of pamphlets, newspapers, and stories, which daily galled him and kept him in an improper temper, to be pressed, for embellishing of towns. If I had meant anything further I should certainly have used the word prosecution, as it was reported I had.

Upon the whole my Lord, I may be guilty of an indiscretion, but of no offensive intention which strongly I think appears, from my sending this letter without any particular care, or laying any restriction on the person I sent it to, to make a secret of it.

I will trouble your lordship no further with my defence, I will only beg your protection upon this slip, that by your favourable construction the Queen may not take a very bad impression from it. I throw myself upon your bounty and hope you will give me leave to be indebted to you for what I ask."

T[HOMAS] ARCHER to [the EARL of OXFORD.]

1712-13, March 16.—Mr. 'Vanbrugg' being out, I beg leave to make my application to your Lordship by letter, not having opportunity by word of mouth, and to inform you at the same time of the nature of that office [the comptrollership of the Works] and of the justice of my pretensions.

The office was designed a check both on the workmen and the Board itself, and also as an assistance to the Surveyor. In all these respects this office seems to be more necessary now than ever, the Surveyor* is so old that all others at his age or sooner have taken an assistant, and such I have been told Sir Chris. was to Sir. J. Denham. The frauds and abuses are so great that by the price of work set by the Queen's servants the whole nation, but more particularly the city of London, is a great sufferer, and the Queen herself (as I believe your Lordship well knows) is extremely imposed upon, of which the Treasury has of late had so great apprehensions that nothing has been done by the Works without a computation first given in.

This is come to that degree that no Queen of England can ever undertake a building worthy of the Crown (though the Palace lies now in ashes) unless some remedy be found to check these proceedings, and I can find no other than putting some men of probity versed in building into the place now vacant that shall not be afraid to oppose the practice of that Board and, if outvoted, to give your Lordship an account in what the Crown is abused. The sum of money that passes there is neither so inconsiderable nor the building of a Palace (which must be sooner or later) such a trifle, as not to deserve your Lordship's consideration, and I believe the placing a proper person here may in time beget such a reform as to deserve 190*l.* per annum, which is allowed.

But though this was never so reasonable it does not yet appear to your Lordship (who has never seen any contrivance of mine) how I can deserve or be qualified for such a post, and I must own 'tis a hard task for a man to do himself justice who is to write his own character. I should have hoped the Duke of Shrewsbury had he been in England would have done this for me, but for want of an advocate your Lordship I hope will give me leave to urge your putting me into this Commission for Churches as an argument of my ability, for certainly I had not been worthy of that honour (who have nothing to do as a builder) unless your Lordship had thought I had some knowledge in that matter; and I hope I have been no useless Commissioner, and that the models and designs I have made (and which I have much desired to show your Lordship) have not betrayed my ignorance, but the Commissioners will soon determine this, and by the model they pitch on will show their opinion of the builder.

What I have done for the Duke of Shrewsbury meets with such general applause and gives him such satisfaction that I can desire no better than that your Lordship would take his opinion. I would forego all my pretensions if he shall think any man fitter than myself.

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* Wren at 80.

The model I had the honour of showing the Queen for a stair to ascend Windsor terrace with coaches is such an invention as alone would deserve so poor a post as this.

But without insisting on my own merit which may be much inferior to others, the losses I have sustained in my own office by this late Act of Parliament and which I, as the Queen's servant, am obliged to obey whilst all others reap the profit I used to receive, and the losses of so many *twelfth-nights*, one of which was never omitted before, are sufficient arguments to entitle me to your Lordship's favour, and to this post.

The person turned out will have great honour done him, if none can be found worthy to succeed him, and all the pretenders to building will have pretensions to nothing but their own folly if after many years labour they cannot arrive at that degree of perfection as would qualify them to be second to him whom your Lordship has discarded.

But these arguments are useless to your Lordship whose judgment is so discerning and so far superior that I can never hope to write myself into that post which another has written himself out of, unless you are pleased to put the most favourable construction on me, whom am, &c.

JOHN VANBRUGH to the EARL of OXFORD.

1713, April 14. Whitehall.—Being obliged to go out of town for some time, and it not being perhaps agreeable to your lordship I should personally pay my duty to you as usual, I beg leave by this short letter to declare that I am very far from thinking the Queen's present displeasure towards me, is owing to yourself. The folly of what I wrote to Woodstock, was very obvious to you, and so it is to me, but I cannot think, had it been quietly left to your own decision you would ever have judged it criminal. I take myself to be cast by a jury of true English Foxhunters, the whole business of whose lives it is to halloo down creatures, who do them very little injury though they never are fond of their company.

I endeavour to flatter myself the Queen cannot possibly be quite so angry with me as those rigid patriots desire she should be, and I hope (if in time there may be room for it) your lordship will give me leave to owe to you, her having a much more gentle opinion of her dutiful subject."

Endorsed by Oxford. Excuse.

J—— S—— to the EARL of OXFORD.

1713, July 21. Liverpool.—This day I had notice of your lordship's receiving my letter concerning Mr. Vanbrugh. I would wait of your lordship myself, to prove what I there charge him with, but it is my misfortune that my circumstances will not allow of so chargeable a journey, therefore shall wait your lordship's instructions what to do. I have the remainder of the letter which I there mention by me. If your lordship pleases to order your letter to be directed for J. S. to be left at the post office in Liverpool it will be diligently taken care of and complied with (according to direction).

Docketed by Oxford. Received July 24. Mr. Vanbrugh.

OFFICE OF WORKS.

PROPOSAL for a new PALACE ROYAL.

1712, November [12.]—A paper headed "Some thoughts concerning the building of a Palace Royal, by London, and for beautifying the Court end of the town."

The great charge of purchasing the ground, and houses necessary for rebuilding Whitehall, about the place where it formerly stood, which could not but cost an extraordinary great sum, as buying all the houses betwixt Northumberland House on the one side, and over against it on the other side of the street towards the park quite to the Palace yard at Westminster Hall, including King Street, Charles Street, Downing Street, part of Dukes Street, the Market, Channel Row, and down to the river, is not the only objection against the Palace Royal being placed there, there are other great ones, as, its being impossible to place the Palace so as to answer the river and the park with all the beauties they should and might naturally give, and at best the canal and most of the walks in the park behoved to be altered, and the town must either be deprived of the use of the park, which would make living in town intolerable, or else the Palace would have no private gardens, which sure even to a Court is as necessary as public gardens.

Next, that situation is but too much in the town, and too much hampered, even after the great charge of buying in all these houses above, then the Banqueting House must be pulled down, and it were pity so fine a piece of building were lost.

Therefore it is thought that when the Queen and Parliament shall think fit to build a Palace Royal suitable to so great a Queen and people, the best situation for it is in the High Park, towards the middle of that inclosure which the late Prince George railed in next to Kensington Gardens. There is the finest prospect about London, and at a right distance from the town, the front of the house to be towards the South, and there is room for courts betwixt that and the park wall: there ought to be ground bought in for an avenue, quite down to the river, and this avenue would point on or near Wimbleton, and there might be a canal made in it, almost the whole length, from the road without the park to Kensington down to the river.

There should also be a bridge over the river, at the end of this avenue which would give easy access to Surrey side, and be a fine outlet to grounds fit for sport and airing. The caseway through the park would still serve for the way of coming from the town to the Court, there would be a considerable space of ground for gardens behind the house to the north wall of the park, and there should be ground bought in for making an avenue to the North the length of Hampstead Heath, on which this avenue would point, so that this would be a fine outlet on this side, as the avenue and bridge would be on the other. The present gardens of Kensington would join to the new gardens and be a part of them, and the house of Kensington might stand for accommodation for the people of the Court, but were it pulled down, the view on that side would be the opener and the gardens more extensive. On the west side of the house, there ought to be gardens all the way benorth the causeway in the park, west to the ponds which run through the park, and an avenue from this side of the house through the park which would go about the middle of the fine rising ground where the house for feeding the deer is by the corner of the ring and joining the Walnut Tree walk, a little south of the north end of it. Thus the house would have fine prospects from the four sides of it, be so near the town, and yet in the country and in the best air about London.

Though (as is thought) the Queen would reside in this palace for the most part, yet it were fit and convenient that she should have a house with some good public rooms and convenient apartments for herself in it, in town, for receiving addresses, or such like occasions, for which end it is thought that St. James's might serve, with an apartment for the Queen being built to the end of the great drawing room and council chamber which she built herself, or else the apartments at St. James's as they now are, to be made to enter by the council chamber and great drawing room, by adding a room or two in the back court, and so joining these rooms to the stair without, entering by those rooms now next the stair which cuts the apartment, and thus the Queen might continue her apartment where it now is, an entry to be made to St. James's gate from the higher part of St. James's park through Cleveland Court, without going through the stable yard, would make it much more easy and convenient than the way it now is, and there might be a piece of ground in the park ordered for coaches to turn in when there is a crowd of them at St. James's.

There ought to be a convenient and noble way for going to the Parliament house, and likewise the park of St. James's laid open to the river, which would add much to the beauty and pleasure of the town and also there should be a Chapel Royal in the town, where the Queen might come upon solemn days and in state when she has a mind. Therefore it is proposed that all the houses be pulled down from Scotland Yard, including it on the one side of the street, and from the Admiralty Office on the other, the length of the Earl of Rochester's house, this would be a fine place, and the Banqueting House standing almost in the middle of it would serve very well for the Chapel Royal, provided there were a building added to each end of it, of a piece with itself. In the one end some rooms for the Queen and those attending her, and in the other for the conveniences of the chapel and those belonging to it. There must then be a rail betwixt this great place and the park, and this chapel fronting the canal in the park, and open to the river on the other side would have a noble effect, and most of those houses proposed to be pulled down, already belonging to the Crown, the doing of it would not cost much.

For the way to the Parliament House it is proposed that Channel row should be bought in, and a quay made there from the great place to Westminster Hall, which would be a very noble access to it, and the charge would not be extravagant.

A late years the town is so increased and tenement buildings have been so much run on, that most of the great houses which belonged to people of quality are thrown down, and turned into tenements, and there is hardly to be got ground about the town fit for people of quality to build houses in. If the Palace Royal were built in High Park as is proposed here, people of quality would desire to have their houses as near to it as they can. Therefore it is proposed that the Queen may be pleased to sell or give, as she should think fit, as much of the ground, of the highest side of St. James's Park next to the road from Piccadilly as would be room for a row of houses for people of quality, with a court betwixt the house and the road, and a slip of garden behind, and a terrace overlooking the park, and thus all the way to High Park corner. This would be no more ground off the park than to about the middle of Arlington Street, opposite to where Bennet street comes into it, and 'tis thought the park would suffer very little damage by it for that place of the park all the summer time is so covered with dust from the road, that the deer can eat none of the grass there, which if turned into a street it would be kept watered and so prevent the dust. Those houses would not take away any prospect from the park, for the houses on the other side of that road or street stop the view already, so those houses would rather improve the prospect from the park, because they would certainly be made beautiful and the others are ugly. Those new houses would have a most agreeable situation, overlooking the park, and seeing Surrey over Westminster. If this ground proposed to be taken off St. James's Park shall not be sufficient for the purpose, then it is proposed that the Queen should be pleased to sell or give such another strip of ground off High Park, from the gate at High Park Corner to the corner of that park next to Tyburn, running parallel with the Walnut Tree Walk, and that there should be an open left the breadth of the avenue from the west side of the Palace Royal.

The place of execution to be changed from Tyburn, some where further from the town.

[? *In John James's handwriting.*]

PROPOSED NEW ESTABLISHMENT OF OFFICE OF WORKS.

[1712-13, March.]—Three papers of a few pages each. The first of them, undated,* is entitled " A scheme proposed for the Office of Her Majesty's Works " ; a note at the end runs thus : " As Mr. Wren has now the clerk-engrosser's place [to be abolished], it is proposed that as a recompense for that, and in remembrance of his father, he be one of the three Commissioners of the Works, this scheme being proposed to take place on Sir Chr. Wren's death or resignation.

The second paper is a copy of the Queen's Orders to be observed by the Officers of her Works, dated 12 October, 1705, and is described on the cover as " Office of Works, Old Method." *See* Treasury Papers in P.R.O. under date.

The third paper is a collection of " Orders and Rules for the Officers of his Majesty's Works," dated Sept. 7, 1698.

Office of WORKS.

A state of the debt in the office of H.M. Works to March 1712-13. shewing a total of 79,469*l.* 6¾*d.* due.

Signed Charles Dartiquenave [Paymaster of H.M. Works.]

A state of the debt in the office of H.M. Works at Windsor Castle to the said date, shewing a total of 9,993*l.* 7*s.* 1½*d.* to be due to the office.

Signed Chr. Wren, John Ball.

Regulation of the COAL TRADE.

A scheme of the several articles which make up the cost and charges of a chaldron of the best coals, London measure, delivered at London, with some remarks thereon for regulating the coal trade.

An elaborate table of the cost at Newcastle, shipping dues, duties, charges of sea carriage, and charges in London.

Note.—All the above written articles, except wages, victualling and the ware and adventure of ships, are pretty certain and seldom vary or but inconsiderably, so that it is the wages of seamen and victualling, etc. that are the material points which occasion the rise of coal wherefore it is of great import to have a true account how these rule which duly collated with the price current in the Pool will at any time shew whether the coal trade proceeds regularly or not, and, if not, where the fault lies: and then expedients may more easily be found to remedy such irregularities. [1711 ?]

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*Another copy of this scheme, in a later part of the same volume, is endorsed by the Earl of Oxford as having been received on March 11, 1712–13.

Undated.

Reasons for obliging the Coalmeters of London to give certificates of the Coal importation.

1 *p.* *Undated.*

SCOTLAND.

Charles II. to the Council of Scotland.

1673-4, March 17.—Whitehall.—Right trusty and entirely beloved cousins and councillors, right trusty and well beloved councillors we greet you well. The affection we have for that our ancient kingdom makes us ready to embrace all occasions whereby we may witness the zeal we have to do all things which may be for the advantage and ease of our good subjects therein. And therefore being informed by our Commissioner of some things which have been and still are troublesome and burdensome to our good subjects in that our kingdom we have thought fit to declare our pleasure to give these following orders and instructions concerning them.

It is our will and pleasure freely and absolutely to discharge all rests of assessments preceding our happy restoration, monthly maintenance, loan and tax leavies and outrech of horse and foot, avice, and 26th Peny, and generally all impositions whatever imposed upon that our kingdom at any time before that our happy restoration, except all sums of money already paid or bonds given for money whereby assignations may be conveyed through several hands, and these we do now discharge notwithstanding of any commission granted to Sir John Wemis of Bodgy or others for collecting the restes of any of these particulars. In like manner it is our will and pleasure freely and absolutely to discharge all restes of the taxation, ordinary and extraordinary, granted to our father of blessed memory by the Parliament in the year 1633, comprehending in this the taxation of two of ten of all annual restes, excepting all sums of money already paid or bonds granted preceding the date hereof, notwithstanding of any commission granted by us to the Duke of Hamilton for collecting the same.

As likewise it is our will and pleasure freely and absolutely to discharge all such parts of the annuities of teinds as were due to us at any time before our happy restoration and to suspend the charging for the receiving or paying of any annuity due since our restoration and until the Earl of Loudoun make account (to any we shall appoint for that effect) of what he or his father has received of the said annuities, to the end we may then declare our farther pleasure. Excepting always from this all money already paid or for which bond is given, preceding the date hereof, notwithstanding, of any commission to the Earl of Loudoun for collecting of the aforesaid annuities.

It is likewise our will and pleasure freely and absolutely to grant general pardon and discharge of all arbitrary and pecunial pains incurred by any of our subjects before the date hereof through the contravening of any penal statute except such as are already inflicted or imposed by our privy council or other competent judicatory. It is further our will and pleasure freely and absolutely to discharge all fines imposed by our first parliament in that our kingdom excepting such as are already paid or for which bond is already given.

Copy.

The Council of Scotland to the King.

1674, March 24. Holyrood House.—Returning thanks for the above letter. *Copy.*

1695, July 1. Edinburgh.—Anent the Report of the Committee for the Security of the Kingdom making mention that where the Committee having considered that Mr. Thomas Cravan, minister at ——, having owned in their presence and adhered to the Protestation at Aberdeen and declared he was clerk thereto, they were of opinion that he should be deprived of his benefice and his church declared vacant and he discharged to preach or exercise any part of the ministerial function within this Kingdom until he qualified himself and take the Oath of Allegiance and subscribe the Assurance: and that he should be imprisoned until he found caution in 100*l.* sterling not to go be-north the river Forth, forth, frae and after 1 August then next; as also that Mr. Andrew Burnet, one of the ministers at Aberdeen, cited before them, having owned [*as above to* then next], as also that Mr. Alexander Thomson, minister at Fintray, having owned in their presence and adhered to the Protestation given in at Aberdeen and the Procuratory or Commission frae the Heritors of Fintray to Craigivar, and that he desired Sir John Forbes of Craigivar to give in his Protestation, and likewise having acknowledged his intrusion into the church of Fintray upon ane call from the heritors and parochiners thereof and upon allowance of the Episcopal Ministers without admission from the Legal Presbitery, the Committee were of opinion that he should be dispossessed of his benefice and that the Church should be declared vacant and he discharged to preach etc. (*as above*). Which three reports above written of the date of 29 June 1695, being upon 1 July read in Parliament and the above Cravan, Burnet, and Thomsone, appearing before the Parliament, and, the said Protestation taken at Aberdeen being read to them, they owned the same, His Majesty's High Commissioner and the Estates of Parliament did thereby approve the said respective reports of the Committee and decerned and ordained in the terms therein mentioned and ordained the same to be put to present execution and the said persons imprisoned in the tolbooth of Edinburgh, to the effect contained in the reports. Extracted out of the Records of Parliament by James Murray, clerk registrar.

Docketed. Copy Act of Parliament anent Mr. Andrew Burnet and others. 1695.

ELDEST SONS OF PEERS OF SCOTLAND.

Draft of a clause to be inserted in the Act settling the manner of electing 16 peers and 45 members to represent Scotland. Vote on 3 December, 1708, "That the eldest sons of the peers "of Scotland were capable by the laws of Scotland at the time "of the Union to be elected to the Parliament of Scotland "and therefore by the Treaty of Union are capable to sit in "the House of Commons of Great Britain."

It passed in the negative.

Ordered, 6 December 1708, that Mr. Speaker do issue, etc., for electing a commissioner to serve in this present Parliament for the shire of Aberdeen in the room of William, Lord Haddo, who (being the eldest son of a peer of that part of Great Britain called Scotland) is declared to be incapable to sit in this House.

ELECTION OF PEERS OF SCOTLAND.

[1708, December.]—Representation given in the House of Lords in the names of the Marquess of Annandale, Earls of Sutherland and Marchmont, and Lord Ross, that at the election of sixteen peers from Scotland they were chosen by a greater number of legal votes than the Marquess of Lothian, Earls of Loudoun, Weems and Glasgow. 13 *pp.*

Docketed by Harley. State of the Case as to the contraverted election of the Scots peers. Received December 22, 1708.

CUSTOMS IN SCOTLAND.

WILLIAM LOWNDS to the COMMISSIONERS of CUSTOMS in North Britain.

1710, May 9. Whitehall Treasury Chambers.—Gentlemen, My Lord Treasurer having received many representations that the great charge of the management of the Customs in Scotland doth lessen the growing equivalent from which several persons expect their payment and that the small produce thereof is occasioned chiefly by debts in the said management, commands me to signify to you his directions that you do forthwith take the said matters into your consideration and look into the particulars of the present charge of managing the said revenue and report to His Lordship as soon as possible in what particulars (if any) you conceive the same may be lessened and also to propose to him what you think may conduce to the improvement or better guard and collection of the said revenue.

LORD GODOLPHIN to the SAME.

1710, August 5. Treasury Chambers.—Warrant authorizing them to create a new Establishment for the officers of the said Customs as proposed in a representation made by them.

The said COMMISSIONERS to BARON SCROOP.

1710-11, February 24. Custom House, Edinburgh.—Inviting his kind assistance in difficulties in which they now are betwixt their new Establishment which they sent up to the Treasury with the Michaelmas Establishment and which they believed they were authorized by the return thereto by the Lords of the Treasury on 11 October last to put in practice, and the old Establishment. They have received on 20 January last a letter from their Lordships returning their Establishment and directing them to make up that Establishment according to warrants received from the Treasury and make no alterations without their Lordships approbation. *Signed* Lionel Norman, William Boyle and Thomas Foulerton.

[*The above three entries are copies made on the same sheet of paper.*]

1710, June 17. Edinburgh.—Survey of the ports in Scotland made by Lionel Norman by order of the Commissioners of Customs in North Britain dated 11 March last, pursuant to directions dated 20 February 1707. *Copy* 15 *pp.*

Memorial of Mr. Cochrane to the Lord High Treasurer relating to the Customs in Scotland. 2 *pp. Docketed by Harley.* Received Sept. 9, 1710.

1710, October 5.—A brief account of the Customs in Scotland. 6 *pp. Unsigned. Docketed by Harley.* Received from the Earl of Weemyss, Oct. 17, 1710, by letter.

[1710.]—Table of payments of Debentures in Scotland by a medium of two years before the Union, 1703 and 1704, compared with the payments by the Commissioners of the Customs in one year since: with remarks on the same.

Edward Davies, of Lanyeare, Radnorshire, to Robert Harley.

1710, September 10. Dumbrittaine, N.B.—In the precincts of Port Glasgow. Begs pardon for giving this trouble. He was formerly recommended to Harley's favour by David Morgan, John Evans, David Powell and his own kinsman, Thomas Davies, and Harley promised to do what favour lay in his power. Having been established tidesman at this place for three years at 15*l.* per annum he finds the salary so small he cannot subsist thereby and having never had a complaint against him he is encouraged to seek for better business. There being a list of names suddenly to be laid before the Treasury for the new Establishment, he prays Harley will appoint him surveyor or landwaiter at Newport, Glasgow, or Leith, or whatever post he will favour him with.

Return of the election at Perth on 25 October, 1710, of Sir James Murray, of Donally, knight, as member for the shire of Perth. *Signed* John Ramsay, sheriff depute, and John Mercer, clerk of the county.

Copy. Latin.

1710,—List of the Commissioners for Shires and Boroughs in Scotland to the Parliament whose elections are known at Edinburgh this 4 November.

List of Peers residing in England who have votes in the elections for Scotland.

List of 23 Scotch Peers.

Noted at the foot. This List contains 7 supernumeraries that your Lordship may have the more freedom to choose 16 out of them.

Presentments by the COMMISSIONERS of the CUSTOMS in Scotland.

[1710.]—Edmund Pargitor, Inspector General for the Out Ports, in the room of William Edgar, removed. Salary 130*l.*

William Erskine, Comptroller in the port of Stranraer, in the room of Walter Murray, removed. Salary 35*l.*

Hugh Crawford, Landwaiter and Searcher in the port of Glasgow, in the room of John Cosnan, removed. Salary 35*l.*

Archibald Cameron, Charles Forbes, Walter Scott, Alexander Dumbar, and James Gordon, Riding officers for the West and South Coast, new offices. Salary 50*l.* each.

James Ogilvie, Comptroller in the port of Glasgow in the room of Alexander Dumbar, removed. Salary 25*l.*

Robert Coats, Tidewaiter in the port of Borrowstoness, in the room of Alexander Frazer, removed. Salary 20*l.*

Patrick Cheyne, Landwaiter, Searcher, and Coastwaiter, in the port of Leith, in the room of Alexander Cummings, removed. Salary 35*l.*

James McNeall, Boatman in the port of Leith, in the room of Robert Coats, removed. Salary 20*l.*

James Farqhar, Waiter in the Gates of Edinburgh, in the room of Thomas Dickson, removed. Salary 12*l.*

Charles Forbes, Land Surveyor in the port of Irwin, in the room of Alexander Brodie, removed. Salary 35*l.*

William Arbuthnot, Tidewaiter in the port of Aberdeen, in the room of Pat. Higgins, refuses. Salary 18*l.*

Thomas Clark, Tidewaiter in the port of Leith, in the room of James Marshall, removed. Salary 20*l.*

James Marshall, Tidewaiter in the port of Glasgow, in the room of Gaven Hamilton, removed. Salary 20*l.*

Francis Scott, Waiter in the Gates of Edinburgh, in the room of William McArthur, removed. Salary 12*l.*

John Gouge, Waiter in the Gates of Edinburgh, in the room of William Menzies, removed. Salary 12*l.*

James Greive, Tidewaiter in the port of Dundee, in the room of Joseph Boy, declines. Salary 18*l.*

John Stamfeild, Tidewaiter in the port of Inverness, in the room of Thomas Clark, removed. Salary 18*l.*

Alexander Cummings, Tide Surveyor in the port of Cromerty in the room of James Smith, removed. Salary 30*l.*

William Corsan, William Reid, and Mark Hume, Waiters in the Gates of Edinburgh, in the room of George Dick, John Dumbar and Andrew Hepburn, removed. Salary 12*l.* each.

John Gifford, Surveyor, Land waiter, and Searcher, in Shetland in the room of George Pitcairn, refuses. Salary 20*l.*

Charles Inness, Deputy Comptroller in the port of Stranraer, in the room of Ralph Archbold, removed. Salary 15*l.*

PETITION to the LORDS of the TREASURY.

THOMAS LOCKHART, land surveyor at Leith. Memorial to the Lords Commissioners of the Treasury. On 20 February, 1706, the committee named by the Scots Parliament as the Council of Trade in that kingdom, being resolved to frame a new book of rates and considering that petitioner had attained an exact knowledge of the customs and trade during the twenty years he had been employed in that service, appointed him to frame such, which he did. The council after full examination approved the same, but because of the Union the new book of rates could not take effect. The Parliament of Scotland did therefore on 24 March, 1707, recommend him to Her Majesty's favour for a competent post. At the commencement of the Union he was made sole land-surveyor at Leith at a salary of 60*l.* a year, with a positive promise of an augmentation. Now by a new establishment sent up to the late Lord Treasurer two surveyors at Leith are appointed to act *per vices* as land and tide surveyors with a salary of 50*l.* each; whereby he hath not only a conjunct added to his office but his small salary is reduced 10*l.* a year. Additional salaries are given to others who neither upon the account of their office or personal merits have pretensions to them and it is thought hard that one of the land-waiters should have a salary of 50*l.* a year and the land surveyor to whom he is accountable for all his actions have but 50*l.* Prays his case may be considered.

Endorsed. 1710.

Observations on the objection of the Kingdom of Scotland to a proposed Duty on Malt for one year for the two Kingdoms; with abstracts from the Minutes of the proceedings of the Commissioners appointed to arrange the details of the Act of Union. [1710.]

Unsigned. [*In Cochrane's handwriting.*]

DISPUTED ELECTIONS IN SCOTLAND.

1710. Kinross Shire. Election of Mungo Graham of Gorthie objected to on the ground that the Minutes of the former election were abstracted which should have been the rule of proceeding in this election: that he was not properly a freeholder, any right he had to lands in the shire proceeding upon a sham resignation to him in trust made by Sir John

Bruce, sheriff, and on other grounds, Sir John Malcom and those who voted for him intend to petition against him.

Montrose Burgh and District. The election is controverted between Mr. Scott of Logie, the member returned, and Mr. Livingston, factor at London. The burghs of Montrose and Brichen voted for Logie and Aberdeen and Aberbrothock for Livingstone. The town of Bervic having a double election of magistrates sent two commissioners electors who split between the two candidates. Logie who was commissioner elector for Montrose the preceding burgh and therefore assumes the casting vote gave it in favour of himself and is returned.

Dundee and District is controverted between Provost Zeaman the member returned and Mr. Hadden of Gleneagle. Dundee and Forfar voted for Zeaman and Perth and Couper for Gleneagle. St. Andrews having a double election of magistrates, sent two commissioners one was received and voted for Zeaman, the other who was rejected offered his vote for Gleneagle and protested.

Pettinweem and District is a double return controverted betwixt Major General George Hamilton and Sir John Anstruther, of that ilk, younger. The burghs of Caraill and Killrenny voted for Hamilton, and the burghs of Anstruther Easter and Wester voted for Sir John.

The trades of the town of Edinburgh entered their protest against the election of Sir Patrick Johnston on the ground that seeing before the Union they were represented by a merchant and a tradesman now that they were restricted to one representative it behoved to be a tradesman. They likewise protested against the provost and baillies voting because they were sheriffs of the place.

Docquet. Memor. Anent the controverted elections of shires and burghs in Scotland. 1710.

Memorial shewing the import, extent, and limits, of the last clause of an Act made in the second session of the third Parliament of her present Majesty entitled an Act whereby certain duties are laid upon the sea carriage of coal, culm, and cinders except such as are carried from the bridge of Sterling to Dumbar or any parts between them. *Unsigned and undated.*

Docketed by Harley. Received January 6, 1710-11.

JOHN SHORT to ROBERT HARLEY, CHANCELLOR of the EXCHEQUER.

1710-11, March 7.—I did some time since lodge a petition at the Treasury of which the annexed is a copy (*missing*). Not having got any answer and the Establishment for the customs of North Britain being again sent up I beg your protection to my case.

EDWARD DAVIES to the LORD HIGH TREASURER.

1712, April 15. Custom House, Edinburgh.—After a long and tedious voyage I arrived here on 20 March, attended the Board and produced a certificate from the commissioners at London certifying my examination there and found capable to manage the post of Tide Surveyor at Leith, according to your directions. The Board answered they had answered your letter before I landed here and would do nothing for me till they got a return from you. I beg you will send one line more on my behalf.

1711. Memorial to the Lord High Treasurer concerning the management of the CUSTOMS and EXCISE in Scotland.

It is absolutely impossible but if these were duly managed they behooved to increase much more than they do. The excise is better managed than the customs but they might arise to more if right measures were taken and sufficient men employed. For the excise, it is certain in the country places the poor Alehouses are not able to pay conform to survey wherefore they have given over brewing and it is thought most for the Queen's interest they be set out to tack, which would at least increase her revenue 4 or 5,000*l.* yearly. As for the management of the customs, none ought to be employed in that Board but men of integrity, capacity, and interest in their country, who will put a stop to all frauds of her Majesty's revenue for it is most certain that some collectors or surveyors have given transiries for brandy and tobacco which never paid duty, or drew back the same on pretence to export it and retained it in Scotland, and that the waiters of Leith when wine was unloading for one guinea for each hogshead of wine allowed the merchants to take it into their cellars without payment of more, and in the West, South, and East, of Scotland tobacco has been entered paid the duty and after, on pretence of exporting, was relanded, which ruins the Queen's revenue and all fair trading. For remedy whereof it is proposed to get ane sufficient man who will take care to secure such goods or be able to prove the said fraud and to whom they belong, which will prevent such frauds from Glasgow to Air—about 40 miles by the coast, and all he is to have is but 60*l.* to give to 5 or 6 men under him. It is also proposed to get ane sufficient man for 200*l.* to keep all the coast from Alloway to Dundee Firth free of such abuses and also the cheat of drawbacks on fish not loyally cured; and that another be found to keep the coast of Kircudbright to Eliston Bank, all which will effectually answer the proposer's design and under my Lord Treasurer's management increase the customs from 18,000*l.* to 40,000*l.* [*Unsigned.*]

Docketed by Oxford. Received June 27, 1711.

[1711.]—Remarks upon the management of the revenue of the Customs in Scotland.

The revenue of the Customs being transformed by the Union the first reluctancy and clamour of the people against it proceeded more from the newness of the thing than the inequality of the imposition, wherefore a wise and impartial management of this revenue might have not only improved the value in four years time but also have rendered the practice more familiar and consequently more easy to the subject but that the revenue is neither improven nor the people satisfied may proceed from the following :—

1. The Commissioners employed were either strangers or men of no authority in the country, so the people were to form opinions about them from their behaviour and conduct in office, but as faction and party prevailed amongst them their characters dwindled to nothing, their management went in confusion, and the servants employed in the business being put in rather to serve and support a party of the Commissioners than the revenue, all order and authority sank into negligence and corruption.

2. The most pernicious frauds under this management seem to be in the duties and drawbacks upon salt, fish, and tobacco. I have lived some time in that part of the country where the trade chiefly depends upon these commodities and though according to my weak judgment the law with respect to the customs seems to be defective in some places, which perhaps might give a pretence to protect people in trifles, yet without plain villany or a supine neglect in the officers it were impossible to impose upon the public in great quantities and whole cargoes of such goods. There is so intricate a connexion and dependence between the salt and the fish trade that scarce any who deal in fish but either run their salt free of duty or otherways contrive to receive a drawback for a double proportion or more of fish to the salt they have used upon the high duty, so that unless it be carefully observed that no drawbacks be granted upon fish except in proportion to the salt upon the high duty as it stands upon the Custom House books a fair trader cannot deal in that commodity but to his loss, which at length must terminate in the ruin of the trade or the revenue. And if the above practice of running salt or procuring drawbacks for fish not 'loyally' cured happens, by the accident of an honest and careful officer, to fail the merchant who pushes that trade, he has still another device in view which is to ship his fish for foreign export, take out a debenture for his drawback : then perhaps within 20, 30, or 40 miles distance from the same port he runs them ashore where other fish have been cured then ships them again at the nearest Custom House Port and thereby receives a new debenture for a second drawback. But further to clear this matter, let any man compare the current price given this last year for fish by merchants all over Scotland

with what they make of them in foreign markets, including the profits of their homeward returns, it will appear they must lose near to a fifth part of their stock.

3. What has been said in the last paragraph of double drawbacks upon fish is yet practised to a higher pitch in the tobacco trade for it is generally known that especially within the Firth the same individual parcel of tobacco has been twice and frequently three times shipped for export in so many different places for which the merchant has received as many different drawbacks, and since the drawback upon these commodities bears so great a proportion to their value it is easy to conceive the bad effects that such practices must have upon so small a revenue.

4. A great deal of money has been needlessly expended in prosecuting seizures which they knew could never be made good and the people have been extremely harassed and chagrined by the countenance given to officers in wrongful and unwarrantable seizures, thereby obliging the poor and ignorant to compound for anything rather than be at the charge and risk to stand (as they apprehended) a very doubtful trial, which imposition, as well as many other abuses of greater moment chiefly proceed from the uncertain and confused method of granting cockets and other coasting clearances.

But if the Commissioners be men of temper and probity whose characters will command a suitable respect in the country it is they only who can best retrieve an ill management by such regulations as experience will give them occasion to think on and that they may in some measure be able to answer expectation, it would seem necessary that each of them had a discretionary allowance not exceeding a certain sum for private intelligence.

Unsigned and without date.

JAMES ISAACSON to the [EARL of OXFORD.]

1711, August 18. Middle Temple.—In obedience to your lordship's commands I humbly present the enclosed scheme which I have drawn faithfully and to the best of my capacity, with a sole view to Her Majesty's interest; to which, I am of opinion, it will contribute to have English and Scotch joint secretaries and solicitors, and therefore I have named for both the ablest I could think on, by which I propose to have more business better done and at less charge. The persons inserted had a very good character when I was in Scotland; and those changed as indifferent. Those unknown to me I have left unnamed; to be examined and confirmed or altered by the commissioners upon the spot, when also the blank vacancies may be supplied which happen to be more than ordinary, because I also humbly propose it as a proper rule to have Scotch collectors and English controllers at every port. And

I cannot but be of opinion that four or five riding surveyors will be very useful to visit constantly the coasts and ports, to inspect and instruct the officers, to rectify what is amiss and correspond with the Board. And also to have an officer at the Isle of Man to prevent as much as possible the running thence of wines, tobaccos, and other goods (which has been but too frequently practised), to Dumfries, Kirkcudbright, Glasgow and other parts. *Holograph.*

Enclosure. Scheme of an establishment for managing and levying Her Majesty's Customs, etc., in North Britain.

M. H. to the EARL OF OXFORD.

1711, August 18. Dumfries.—Communicating a Memorandum relating to the CUSTOMS in Scotland, which he has laid before the Lord Provost according to the favour and liberty granted to him.

1711, September 22.—List of peers who may probably vote at the election for one in the place of the Duke of Hamilton, either by themselves or proxies.

JOHN CROOKSHANKS to the LORD HIGH TREASURER.

1711, October 13. Edinburgh.—The fear of appearing officious and of giving umbrage to those who think themselves chiefly concerned in the management of the Customs here made me remain silent until I was assured by the Earl of Kinnoul that any intimation intended for Her Majesty's service would be grateful. Whereupon I presumed to trouble your Lordship with a few lines the 9th current, and now I pray leave to send a memorial concerning private rights and another concerning prizages, intending by next post to offer my submissive opinion in some things relating to the laws and management of the Customs here, wherein if it be allowable I would supplicate your Lordship to let me remain concealed.

Enclosure 1. The Memorial on private rights referred to above, dealing with exemptions from customs claimed under Articles VI and XX of the Act of Union. Such account as could be formed in these matters was sent by the Commissioners of the Customs under Mr. Lowndes's cover on 5 February, 1708, to which he refers. Some of these rights are now pending in the Court of the Exchequer in Scotland, a speedy decision of which will be advantageous to the revenue. 1711, October 13. Edinburgh.

Enclosure 2. The Memorial concerning prisage. This ancient duty on imported wines, confirmed by the Act of Tonnage and Poundage 12 Chas. II., cap. 4 and rule 27 in the Book of Rates is not managed by the Commissioners of Customs in England being collected for the benefit of those having gifts of it from the Crown; but as it is believed the Queen has a right to it in Scotland it was ranged among the duties payable to her in the printed Abstract for the collectors. Where the quantity of the wine exceeds 10 tuns the prisage is 1 tun, called single prisage.

Where the quantity exceeds 20 tuns the prisage is 2 tuns, called double prisage.

When the collectors of customs demanded prisage the merchants in Glasgow were the first who denied compliance. They were admitted to land their wines and to a trial at law in the Exchequer giving bond to abide the judgement. This has served as an example to merchants in Edinburgh and elsewhere.

In the short time for despatch of this memorial it is impossible to draw out an exact account of the prisage in dispute. It shall be done with all possible expedition. A reasonable conjecture may be made from the account transmitted under Mr. Lowndes's cover on the 4th instant.

The usual method of collecting prisage in England is to take half before and half abast the mast, which occasions disputes. To prevent this they have in Ireland settled rates, viz^t^. :—

French wines,	single	... 30*l.*	double	... 45*l.*
Malaga wine and sherry	,,	... 40*l.*	,,	... 60*l.*
Canary	,,	... 50*l.*	,,	... 75*l.*

While merchants in England continue liable to prisage I cannot see how those in Scotland can be free and that equality of trade stipulated by the Union preserved. Edinburgh, October 13.

Docketed by Oxford. Received 19 October, 1711.

The Same to the Same.

1711, October 16. Edinburgh.—On the 13th current, under cover to Lord Duplin he sent the above two Memorials; he now sends the promised memorial relating to the law and management of the customs in North Britain, resolving by next post, if possible, to say something in relation to the Establishment of Officers which is a subject at present perplexed.

The two Memorials in question.

John Crookshanks to the Lord High Treasurer.

1711, October 20. Edinburgh.—Since the 16th current, I have endeavoured to perform my duty and promise in finishing schemes and memorials relating to the revenue of Customs in North Britain, sent in two packets under cover to Lord Duplin, praying leave to say that my salary here is so small that I have been out of pocket 200*l.* every year since the Union.

I should be very blameable in keeping anything reserved in matters relating to Her Majesty's service and therefore I adventure to say farther that a secretary to the Commissioners of Customs is like a pilot in the ship. If he know the laws and methods of business, matters will be carried smoothly and expeditiously at the Board, if he be a man of application and probity. There is but one person whose capacity I wish were known to your Lordship. Begging pardon for presuming to touch this matter and for all the imperfections of my memorials which have been despatched without loss of time since the Earl of Kinnoul gave me the first intimation.

Enclosure 1. A list of officers of the Customs in Scotland with their salaries for the year preceding 1 May, 1707, and remarks upon the same.

Enclosure 2. Abstract of the yearly salaries payable to the Officers of the Customs in Scotland before and since the Union with remarks upon the same.

The SAME to the SAME.

1711, November 29. Custom House, Edinburgh.—Having received from the collectors their accounts of wine imported since 1 May, 1707, to Michaelmas, 1711, I have stated the prisage and for performance of my duty and promise I do now pray leave to lay under your Lordship's view the enclosed account whereby it will appear, in case prisage be due, the Queen will be entitled to 6,400*l.* Deducting the duties to which prisage wine is liable to 1,654*l.* 4*s.* there remains at her disposal 4,745*l.* 16*s.*

If prisage be not found due, the merchant importers must clear their depending bonds and complete the payment of 2,255*l.* 3*s.* 9*d.* So that on all events the Crown will receive an advantage by the decision of this present case.

Enclosure. A state of the prisage from 1 May 1707 to Michaelmas 1711, now depending in judgment.

Signed John Crookshanks, Comptroller General.

THOMAS SMITH, Esquire, M.P. for Glasgow, to the LORD HIGH TREASURER.

[1711.]—Petition in behalf of the magistrates and merchants of the said city and William Cochran, of Kilmaronuck, Esquire, shewing that Glasgow was anciently the place where the Custom House was kept and where all goods coming into the river Clyde were entered but about 40 years ago the increase of trade and shipping obliged the said city for the conveniency of the merchants and the easier collection of the customs to purchase a bay in the river about 14 miles from the city where they built ane harbour Custom House, cellars, keys, and other conveniences, to their very great charge, having expended upon the place upwards of 30,000*l.* sterling, and at this place by consent of the government and the merchants the Custom House has ever since been kept.

Attempts have been made to remove this Custom House to Greenock, a little village 2 miles from the new Port Glasgow belonging to Sir John Shaw, particularly by Sir John Shaw, deceased, father to the present Sir John, who being one of the farmers and managers of the customs of Scotland did actually remove the books and custom house office to his said town of Greenock, but the Lords of Treasury and Exchequer in Scotland did upon application by the city of Glasgow order the same to be again brought to Port Glasgow.

In July, 1710, a commission issued out of the Exchequer in Scotland to several persons to view and report what were the proper ports and places of discharge in the river Clyde. These commissioners reported that in their opinion New Port Glasgow should be the chief port yet they declared that Greenock should likeways be a member, and that the key of Glasgow should be a 'livering' lawful key of Port Glasgow, which report was confirmed by the Barons of the said Exchequer in November last. By this there must necessarily be a separate Custom House at Greenock from which several inconveniences to the revenue necessarily arise. It being without precedent in Great Britain that there should be two custom houses on the same side of the river scarce two miles apart, he prays his Lordship to put such a stop to the unprecedented innovation.

[1711 ?]—A scheme of an Establishment for managing and levying Her Majesty's Customs in North Britain.

[*Four folio pages containing names of officers for all the ports with their salaries.*]

Unsigned and without date.

The MAGISTRATES of the city of EDINBURGH and others to the LORDS of the TREASURY.

1711-12, January 18. Edinburgh.—We the magistrates of the city of Edinburgh and the Commissioners of Customs having met in relation to the consideration of a proper place for airing of goods unloaded out of ships that have performed their quarantine find that the island of Inchcolm, a mile distant from any land, is the most proper place in this Firth for that purpose, and is about 40*s*. sterling a year value: but as we represented last year the isle belongs to the Earl of Murray who then declined allowing the benefit thereof. We therefore entreat your Lordships will please tell us what course may be taken for procuring the liberty of the same. Such a place is very much wanted here and the merchants coming from the Baltic who have already lain their quarantine are exceedingly straitened.

Signed by Adam Broun, provost, Hutcheson, baillie and J.P. Archibald Cockburn, baillie and J. P., Dundas baillie and J.P., and the Commissioners.

Docketed. Send to Mr. Baron Scrope to advise what will be the best method of agreeing with Lord Murray.

Lord Murray's answer is within (*missing*).

Minuted [by Baron Scrope]. I believe it will be proper that there should be an order in council to authorize your lordships to direct the Commissioners of Customs in Scotland to hire such place as they shall think most fit for airing the goods from the Baltic and in the best manner they can, for if they are to be written to first to report a proper place and then to receive orders it will take up a great deal of time.

The UNION with SCOTLAND.

1711-12, January 19.—Rough notes mainly in Oxford's handwriting of methods by which to render the Union with Scotland more stable.

January 24. Shall the Queen be empowered to convene all the Peers of Great Britain who were Peers of Scotland at the time of the Union, or the successors to their honours, to consider of proper methods for rendering the Union more complete with respect to such Peers sitting in Parliament : and to lay the same before Parliament ?

In Oxford's handwriting.

DANIEL MACKENZIE to the LORD HIGH TREASURER.

1712, November 12. London.—Having been recommended to his Lordship by Lord Lyon, Lord James Murray, Alexander Mackenzie of Fraizerdale and other Members of Parliament for some business in the Custom House or Stamp Office, begs he may have a Tidesman's place at Bristol vacant by the death of Francis Bead, to enable him to maintain his poor family. *Seal.*

PEERS of SCOTLAND to the QUEEN.

We your most loyal and dutiful subjects beg leave to lay before you the condition we and the other Peers of Great Britain who were Peers of Scotland at the time of the Union are reduced to by a late unprecedented restraint put upon your rightful exercise of your prerogative royal towards us by a vote of the House of Lords last session. Upon that surprising occasion some of our number then at London did presume to address you for your protection and relief to which your Majesty was pleased to give a gracious answer. We are very sensible of the great concern your Majesty shewed on that occasion for your own just prerogative and the great hardships put upon us, for which we render our most hearty thanks.

Our ancestors for faithful services received their honours from your royal progenitors and nothing having since happened to incapacitate us how can it be thought that so great a Queen should be declared incapable to confer new honours upon their posterity.

But finding ourselves still under the weight of that vote and nothing as yet being done for our relief, we humbly beg your

Majesty will take the former representation into consideration and procure a redress that will restore our prerogative.

Copy. Docketed January 1712-13.

TACKSMEN of CUSTOMS in SCOTLAND.

1713, February 14. Edinburgh.—Offer by Sir George Home of Kello, Sir Henry Rollo of Woodside, and others for the heirs and representatives of Sir Samuel McMillan, deceased, George Warrander, of Lochend, Daniel Campbell, of Shawfeild, Robert Rutherford, of Farnilee and others, to settle an action and plea against them in the Exchequer of Scotland concerning the final account of the late tack and farm of customs and foreign excise to May 1707, by a payment of 5,000*l.* on condition of receiving a release to them and their heirs against any process, question or demand; with an account to the above date as between the tacksmen and the Lords of the Treasury.

Docketed. Copy of the account of the late tack of the customs in Scotland and of their security to pay 5,000*l.* &c. for a discharge.

Docketed by Oxford. Received 2 May, 1713.

List of the Peers of Scotland who at Holyrood House on 8 October 1713, elected the sixteen representative peers of Scotland. Present 36 in person, 25 by proxy; and Lord Dingwall, allowed by the peers although not formerly in the Rolls of Parliament, voted by the Earl of Rosebery his proxy. *Signed* Glasgow, chief registrar. *Copy.*

Docketed by Oxford. Received October 15, 1713.

E. I. to the LORD HIGH TREASURER.

1713, May 9. Edinburgh.—We are told that your Lordship is now settling the officers of the Customs of this country and Mr. Neil Campbell is to be one of the Commissioners. This is a great surprise to everybody that wished well to the Queen's service he having not a single qualification for such a station but his name; and what we now hear of his making an allowance of at least half his salary to another that cannot qualify himself hath added very much to our discontent. I am hopeful that no part of this story is true but that we shall see how soon the Queen's letter comes down, which I was told this day was come off from London; but I shall not believe it until I see it.

Endorsed by Oxford. Edinburgh. Unknown postmark. May 9, 1713. Received June 15, query where it has lain.

Seal.

JOHN CROOKSHANKE to the LORD HIGH TREASURER.

1713, May 26. London.—Having since my return from Scotland had very little or no conversation with the gentlemen of that country I have with unspeakable satisfaction enjoyed the comforts of my little family and garden, for which happiness your Lordship had my hearty acknowledgments every day, I am now sorry that I should thereby be so ill qualified (by my ignorance of daily occurrences) for the performance of my duty. When your Lordship dismissed me yesterday with such marks of condescending goodness towards me, I went at once to the Court of Requests and from the information there received I have in haste ventured to lay a rough draft of my weak opinion concerning Malt under your penetrating eye. I have farther discovered that the opposers of the peace projected then to get the Malt Tax dropped, or the Scots secured to their purposes in some points clog the Bill with 6d. per bushel. I have likewise reason to believe that the gentlemen of Scotland who talk of a Motion to dissolve the Union and for that purpose have this day desired a conference with their peers are influenced by some of the latter for accomplishing their private views more than the public good and when they are satisfied the clamour for the country ceases, though the bad humour that may be raised amongst ignorant and headstrong people there may not be so quickly appeased.

For the more punctual performance of my duty, I am retired to a lodging at the Two Golden Balls in Villers Street being resolved to remain there confined until I have obeyed your commands in reference to our commerce with France so far as memory or judgment can serve me from seven or eight years experience in a course of business in the best ports of traffick in that kingdom, which I hope to finish against Tuesday, I mean Wednesday, in the evening, and then I shall discourse merchants conversant in trade of late, because since the Union and my obtaining a post in Her Majesty's Revenue I have had no concern that way, that by this means and the assistance which you design to afford me I may shew under what strict ties of gratitude I am engaged to remain your most obedient etc.

The Same to the Same.

1713, May 28.—For performing my promise as far as possible in the time, this goes accompanied with a sheet relating to commerce as far as the eighth article of the treaty. My time shall be wholly employed for finishing what I am able to say on the ninth article for your lordship's perusal in the morning.

Enclosure. Abstract of the Scots Trade in the year 1712.

Appendix I. Concerning the revenue and charge of government in Scotland before the Union.

Tabular statement shewing a yearly charge of 127,505*l.* 6*s.* 6*d.* as against a revenue of 113,194*l.* that is a yearly deficiency of 14,311*l.* 6*s.* 6*d.*

Note.—This account is stated with all possible indulgence to Scotland considering that when the Customs in Scotland were collected for the Crown they fell much short of the sum shewn in the account, as appears by the accounts thereof for two years declared in the Exchequer of Scotland before the Union.

Appendix 2. Account of Public Debts adjusted in the Court of Exchequer in Scotland upon the first claim after the Union.

The account gives the total of Public Debts in Scotland as 253,599*l.* 2*s.*, besides claims adjusted and allowed since by the Court of Exchequer in Scotland. The last article in the account "to persons deserving upon recommendation of Parliament 4,698*l.* 10*s.*" puts it beyond doubt that the revenue was not sufficient for the public charge because the persons recommended were not upon any Establishment and had no prospect of satisfaction from any fund in Scotland and therefore Her Majesty is prayed to supply the defect.

Appendix 3. Account of an article of 70,000*l.* paid by Great Britain which Scotland was engaged to pay according to article 14 of the Union.

Appendix 4. Concerning embezzlements in Scotland upon commencement of the Union. It was notorious, particularly in the river Clyde, that goods were landed and conveyed away on Sunday to the detriment of the revenue and scandal of honest men. The Commissioners of Customs in Scotland by summons founded on the eleventh Act Car. II. summoned the suspected parties before the Lords of the Exchequer. Upon 6 August, 1707, the defendants appeared and were granted time for preparing their defence to the 13th of the said month when the cause came before a full exchequer. The Commissioners could not prevail on any Scotsman to give evidence against his compatriots and they had no other means to prove the embezzlements but by the oath of parties and prayed on this point that the Court would proceed according to their usual form and known law, there being no other method for deciding this case seeing that Court was to subsist in Scotland until another should be established by the Parliament of Great Britain according to Article 19 of the Union.

Defendants alleged that they were not liable to the severity of that Act being by the Union entitled to the privilege of every British trader and consequently exempted from oaths directed by any Act which infers corporal punishment.

In the debates the laws of England, the laws of Scotland, and the Civil law, were so jumbled by the advocates that the Lords of the Exchequer were unwilling to decide a point so delicate wherein the Right of the Crown and the Privilege of the subject were so nearly concerned, and at last the matter dropped as that Court expired.

The Commissioners of the Customs intended to have prosecuted certain articles (specified) whereof they had sufficient information.

There were flagrant instances of great enormities committed by some collectors at the commencement of the Union who had been employed by the Taxmen and were continued by Her Majesty's proclamation.

A moderate computation of the embezzlements 52,550*l.*

Appendix 5. A computation of money which Scotland has gained by goods imported into England since the commencement of the Union without paying the Duties to which all English traders were liable.

Appendix 6. Concerning wines of the French growth consumed in Scotland which have only paid the Spanish duties to the plain and evident damage to revenue of 113,839*l.*

Appendix 7 (*Deest*).

Appendix 8. Concerning the duties of customs and excise detained by persons in Scotland pretending Private Rights from 1 May, 1707 to Michaelmas 1711.

Docketed by Oxford. Received July 1, 1713.

Appendix 9. A state of the Prisage on Wine in Scotland from the commencement of the Union to June 24, 1713.

Docketed as in the last entry.

Appendix 10. (*Deest*).

Appendix 11. Concerning the Civil List in Scotland, augmentation of Salaries. Establishment on a better fund. More regular payment than before the Union.

Appendix 12. Concerning the Establishment of the Scots Troops in guards and garrisons before and since the Union.

Appendix 13. (*Deest*).

Appendix 14. An account of Premiums and Drawbacks paid in Scotland before and since the Union. With a sheet containing remarks on the same.

C[HARLES] GODOLPHIN to the EARL of OXFORD.

1713, June 2. Custom House, London.—In obedience to your commands received yesterday evening to let you know what ships of North Britain were registered upon the Union and how they have increased or decreased since, I humbly acquaint you that [according to] the duplicate transmitted to my office of foreign ships belonging to Scotland at the time of ratifying the treaty of Union in the Parliament there were 235. This is a very small proportion of the ships which appear to be now employed in the trade to and from Scotland and coastways in that part of North Britain, whereof an alphabetical list may be transmitted to you in a few days if you think fit. I have some time since made application to the Commissioners of Customs at Edinburgh to enjoin their collectors to add in their accounts of trading ships transmitted to my office, if foreign built, whether pretended to be registered or not, and if British built when and where built, which has not been yet entirely complied with, no more than the sending up hither the duplicates of ships clearing for the Plantations as the Act in the 7th and 8th of the late king seems to require. Yet it does appear by the entries in my book there have been imported into North Britain from Christmas 1707, to Christmas last, 114 ships from the Plantations with tobacco, sugar, &c., and most of these goods have been re-exported again, both which are articles whereby their trade has been enlarged beyond what they could pretend to before the Union, besides the great advance in value of many thousand tons of foreign ships first mentioned by adopting them as British built on account of their being bought before the Union. But I have taken the liberty to annex to a memorial lately presented to your Lordship the draft of a clause which when passed into a law would be a good means to prevent extending the privilege of foreign built ships further than is due to them on account of their British property in discouragement of British built ships, which is most humbly submitted to your consideration.

J. TAYLOUR to the LORD HIGH TREASURER.

1713, June 9. Treasury Chambers.—Mr. Cruckshanks who was here this morning in hopes of an opportunity to deliver the enclosed to your Lordship desired me to transmit them to you.

Enclosure.

JOHN CROOKSHANKS to the SAME.

1713, June 8. London.—In obedience to your commands intimated by Mr. Taylour I have endeavoured to set the advantages which Scotland has gained by the Union in a clear view by the annexed representation. The remaining articles of the appendix shall be furnished with all possible despatch so soon as the necessary materials can be found.

From Mr. Baron Scroope and Mr. Taylour I have received such papers and instructions for method that the defect of the performance is my proper misfortune.

Enclosure. The happy consequences of an Union to Scotland. Before the Union, the revenue was not sufficient to support the charge of government. *See* Appendix 5.

The debts due by the public according to accounts stated by the Court of Exchequer in Scotland to the day of the Union amounted to 253,599*l.* 2*s.* *See* Appendix 2.

The nobility and gentry of Scotland in foreign parts, especially in France, gained honourable distinction by their bravery but this drained their country of valiant men who thought it a disparagement to let a foreigner go more bravely than they to death and destruction. It has been reported and is probable that Lord Dumbarton's regiment which was their nursery for men of honour has drawn 55,000 recruits from Scotland, whereof few returned with whole bones and less with estates; their troops in the Dutch service had not much better fortune; so that while Britain was in a profound peace at home they have been shedding their blood profusely in quarrels of foreigners.

If the mechanics among the recruits had been transplanted to the plantations under English protection Scotland might have received better returns from them, but I leave this to the weight of arguments for or against my opinion.

Since the residence of their Sovereign was removed from Scotland the trade of that kingdom has declined daily and would have been entirely lost for want of capacity in the government to protect trade.

Notwithstanding its proper and peculiar disadvantages, Scotland was a valuable nation and more to England on many accounts than to any part of the world and without an Union of the two kingdoms neither could have remained secure.

Both nations have contributed to this happy settlement but without disparagement to either the Queen deserves the greatest applause and most dutiful returns from both for her large concessions and successful endeavours to fix their happiness without which the Union in General and the articles of the equivalent in particular never could have been settled had not her Majesty been pleased to change the property of her revenue in Scotland. By several Acts of Parliament the customs in Scotland were declared part of the prince's patrimony for the support of the government: the excise was granted to the Sovereign as an annuity. It is conceived that there is no precedent in history of such generosity to subjects as our Queen Anne has shewn in Scotland in abandoning her patrimony and her annuity to make them happy. Can this be forgotten in seven years at so small a distance from London to Edinburgh or during her Majesty's auspicious reign? This leads to the liquid articles of advantages which Scotland gains by this happy union, and first the Equivalent 23,761*l.* taken yearly out of the Customs, the Queen's patrimony, 20,936*l.* taken yearly out of the Excise, her annuity, 44,697*l.* taken out of the Queen's revenue yearly, for which the subjects of Scotland have received in money from England and a sum called the Equivalent which has been applied to their proper uses 398,085*l.* 10*s.* To this charming article is added another item, vizt. Debt of Scotland, which by the Articles of Union they were to pay for the service of the year 1707 but in their default came on Great Britain. Appendix 3. 70,000*l.*

Liquid articles gained immediately by Scotland, 465,085*l.* 10*s.*

Separate advantages to Scotland follow, vizt.:—

Premium on Fish. There was no fund in Scotland for this premium but by an indulgent Act, 7 Anne, Scotland was allowed on this score 28,452*l.* 19*s.* 7*d.*

Salt. Scotland had for this by the same Act the sum of 23,299*l.* 15*s.*; supposing the Salt worth, one third 7,766*l.* 11*s.* 8*d.* Great Britain paid for the other two thirds 15,533*l.* 3*s.* 4*d.*

Goods Duty Free. Run in Scotland upon the commencement of the Union, as per computation in Appendix 4, 52,550*l.*

Importations Duty free into England upon the commencement of the Union, per computation in Appendix 5.

French wines consumed in Scotland upon payment of Spanish Duty only, as per computation in Appendix 6, 113, 839[*l.*]

Tobacco consumed in Scotland. By an unequal method of management they have gained as per estimate in Appendix 7.

Depending Articles, payment refused by Scotland.

Private Rights. Duties detained on this account may amount as per computation in Appendix 8.

Prizage on wine imported, per estimate, Appendix 9.

Excise Disputed, as per account explained, Appendix 10.

Consequential advantages of the Union as to money matters :

Civil List. Salaries augmented. More regularly paid. To the advantage of Scotland by estimate in Appendix 11.

The Army. Pay increased : secured on the British Establishment, subsistence regularly paid, better than before the Union. To the advantage of Scotland per Estimate. Appendix 12.

Landed men. Have great benefit by premiums paid on corn, more than before the Union, per account, Appendix 13.

Merchants. Have received in Debentures for goods exported since the Union and more than before the same ; as appears by comparing the accounts of the different times remaining in the exchequer of Scotland and an estimate in Appendix 14.

Fishery. For encouragement whereof Scotland has received out of the Customs and Excise since the Union by an account in Appendix 15.

Revenue. In the management and collection whereof more persons and families are maintained and more money spent than before the Union as per Appendix 16.

The inestimable advantages to Scotland, Freedom of trade to England and the Plantations. Security in trading under strong convoys and the protection of Great Britain.

WHAT SCOTLAND LOSES.

The Regalia. Annual sight of them lost with the parade in the meeting of Parliament : but their collective representatives in the Parliament of Great Britain see their Sovereign oftener and every particular subject has more free access in petitioning with more certain and easy methods of redress.

The Peers. They have their share in the merit of this happy establishment more than other subjects by yielding voluntarily in some points of honour but will soon find improvement of their estates by increase of trade in their native country. Their grievance in point of honour as to privilege in Parliament is accidental. They have a fair chance for change of sentiments in their opponents and have had pregnant proofs of their sovereign's gracious disposition in their favour.

The Representatives. Are at great expenses in attendance in parliament yet it eases their country in general of the allowances *per diem* granted by their constituents for attendance in Parliaments at Edinburgh before the Union.

Edinburgh. Sustains the most visible and considerable loss of any part of Scotland by removal of Parliament from thence but there is reason to believe the case is not so bad as some would represent. Provisions maintain their price and rents of houses in convenient places are not much abated. Though the parliament assembled every year they only sat for some months whereas there is now a constant resort of officers and people concerned in matters of custom and excise, ships of war come more frequently to the road of Leith and the crews leave money behind them. It may be hoped the present circumstances of Edinburgh may engage the inhabitants to industry and improvement of trade which will be a better method of subsistence than by lodging, and retailing of liquors.

What the Queen Gains.

Honour, which will last as long as the Monarchy and render her name and reign grateful to posterity when the victories of other princes are forgotten, their laurels withered and their triumphal monuments are laid in rubbish.

Satisfaction, in having done so glorious a work for the happiness of her subjects and their posterity, and dutiful addresses while the favour was recent.

What England has Gained.

Security against foreign invaders. As to the occasional damages sustained by the English, they have borne these without murmuring and in good nature and modesty have concealed. *See* Appendix 17.

If the Queen's concessions with so much English indulgence to Scotland have not produced the reasonably expected effects only an Omnipotent hand can join the rose and thistle on one stem.

John Crookshanks to the Lord High Treasurer.

1713. June 11. London.—Amongst my papers I found the enclosed (*not here*) sheet which was printed at Edinburgh in 1708. The merchants in concert got it drawn up by some of their ablest advocates. When they were to receive money in virtue of the Union then it was of a transcendent nature : their arguments on that point are founded upon solid reason and may with the same force and equity be redargued when they are to pay money, and how the Representatives of Scotland can answer to their constituents for some late steps I cannot comprehend, if this sheet was the sense of the Kingdom.

1713, June 12. London.—With this I have delivered to Mr. Taylour two accounts of drawbacks in Scotland, one before the Union, and the other since the commencement thereof to Christmas 1712, with remarks on both, to be laid at a proper time under your Lordship's view, hoping they will demonstrate the great advantages which have accrued and will daily increase to the benefit of Scotland, and the small ground of complaint from that country. Knowing how precious your time is and how necessarily employed in the most important affairs, I send the sheets as they are finished lest they should prove too bulky for perusal at once. I should think myself happy in having an opportunity to shew the grateful sense of my duty to you and if possible execute your engaging commands in the minute I receive them and I supplicate your Lordship to enable me to perform my duty expeditiously by such helps and materials from the proper offices as the case may require.

1713, June 13. London.—Yesterday in the afternoon I delivered to Mr. Taylour some papers relating to the drawbacks of Scotland which in a demonstrative and authentic manner shews the great advantage accruing to that kingdom by the Union. By a letter from a friend at Edinburgh, dated 4 June, which has been at Twickenham and from thence sent back, I have the following advices :—

" The endeavours used by our representatives to dissolve " the Union makes a great noise here and the boroughs are " addressing the Queen to the same purpose. The whole " nation seems to be in a ferment, industriously occasioned " by some anonymous incensive letters sent from London " and handed about. If the Queen should send any of them to " the Tower for making the motion to bring in such a bill " everybody here fears such a mob, if not an insurrection, " which I pray God prevent."

I thought it my duty to lay this before your lordship. Different humours and interests and opposite designs are now in motion upon this occasion, but I hope by your lordship's consummate wisdom the proper and seasonable remedies may be successfully applied to frustrate all pernicious contrivances.

1713, June 18. London.—I wish it were in my power to be more expeditious and concise in affairs relating to Scotland. The nature of the case renders the explanation voluminous and makes me justly apprehensive of trespassing too far on your goodness and time. I hope I shall be pardoned for any defect in the annexed computation (*not here*) of what Scotland gains by the goods imported free of duty after the Union, having represented the facts to the best of my knowledge.

1713, June 26. London.—The more I consider your lordship's condescending proposal to the gentlemen of North Britain the more it pleases me. It was such a gentle reproof and such a powerful motive to summon their senses to their assistance and such an easy way of leaving them no room to blame any but themselves, for I can't conceive how they can propose any method for their gratification consistent with law and reason.

If they were asked what this duty might amount to and if they would farm it at one half thereof, which is 3*d*. per bushel, I believe they would not venture to do it; or if they did the collection would be a greater grievance to their fellow subjects than all the duties recovered since the Union. If they will not venture to give a good sum for this duty it is a plain indication that they lay hold of it only for a pretension and have other latent reasons for murmuring. It's the happiness of the English government and nation that every subject has a veneration for the law and where that takes place they cease to reason: if the gentlemen of Scotland should receive too frequent indulgences, they will never cease impleading exemptions and the concessions granted them will not be owned as favours but alleged as precedents to authorize their complaints and by this means the Union will never be completely fixed on its proper foundation which is a just equality in privilege and duties.

JOHN CROOKSHANKS to the LORD HIGH TREASURER.

1714, April 7. London.—The several duties which compose H.M. revenue of Customs have so many different terminations and are so variously appropriated that it becomes very difficult to bring the accounts regularly within the bounds of any paper according to the directions of the law as will appear by the enclosed (*not here*) specimen of an abstract contrived for return of the collectors' accounts which I pray leave to lay under your view with the following observations.

For the security of the revenue the charge is particular as to every occurrence that happens in the receipt, the discharge is general, distinguishing the payments on each branch respectively, and the several heads or articles brought into totals, that an error in credit of a collector cannot be committed without discovery.

To answer the directions of the law and the demands of the Commissioners of the Equivalent in Scotland after May 1, 1714, the accounts of the customs will occasion double trouble because all the branches enumerated in the Abstract are to be distinctly accounted for until the whole produce in money and bonds from May 1, 1707, for seven years be fully cleared. From this Abstract and the preceding observations will appear the advantageous consequences of your Lordship's designs and endeavours to reduce the management of this revenue to a method more secure for Her Majesty, more certain for the traders or lenders of money and at the same time more easy to the officers and accountants concerned in the collection.

My Lord, since the Union I have been at a considerable expense yearly, more than my salary and had not the confidence to ask an augmentation when others succeeded in their solicitations for that purpose; besides the satisfaction in discharging my duty to the best of Sovereigns I had the valuable honour of being thereby recommendable to your Lordship, on which consideration I do and always shall think my time, pains, and expense, well employed. The most authentic proof which I am at present capable to give of my gratitude and dutiful sentiments is a repeated resignation of my obedience to your commands wherein a hearty concern for your honour shall never be postponed to desire for my own advantage. The Customs of England are a considerable part of H.M. revenue and I should esteem myself very happy in being subservient to your designs for bringing them to a clear and certain method of management. When I am rendered worthy of your commands on this subject, I shall endeavour to make my submissive proposal satisfactory and my scheme demonstrable. *Seal.*

1714, May 29.—Having discovered the intention of the commissioners and gentlemen concerned in the Equivalent to attend you on Monday next and seeing the impossibility of finishing the accounts which I am preparing to set that intricate affair in a clear view, I pray permission to say something very succintly on the subject, being heartily sorry that your Lordship's indisposition hindered me from obtaining the desired honour; and being always unwilling to trespass too far on your goodness and time I shall only at present acquaint you that the account which I delivered to Mr. Taylour relates only to the excrescence above the 30,000*l.* per annum shewing the deficiency on that subject. To discover the state of the Equivalents two other accounts are requisite, one to shew the produce of the branches at the periods for which they were purchased or stipulated at the Union, and another to demonstrate what arises from their continuance or from the several other duties granted since the Union, and these will be ready by Wednesday.

Mr. Sempill and Mr. Houstoun to the Lord High Treasurer.

1714, May 14. Glasgow. Memorial. Sempill was appointed by the Commissioners of Customs in Scotland in August, 1711, an extraordinary officer for discovering a trade of running goods about Larges a village near the Earl of Glasgow's house. He found that trade had been used there a considerable time and having information of a great quantity lodged in a barn of the Earl near the shore side and that the same was drawn off into small casks and carried to Lord Boyll's house at Kilburnie, he called for Houstoun, Land Surveyor at Port Glasgow, who with a writ of assistance went with him to seize it and gave the Commissioners an account thereof 11 October, 1711. They went to the Earl of Glasgow's house and called for one Reikie, his lordship's bailie, to open a door where they had information some of it lay. Reikie refusing to open the door they took witnesses thereof and went afterwards to Kilburnie to search but were refused access to the places where the same was lying. Sempill thereupon had orders from the Commissioners to enquire the names of the owners and importers and who carried the same from place to place, with the quantity: he laid before them a list thereof signed by himself but it was never by them farther enquired into. The quantity was about 600*l.* worth. Sempill had notice more French liquors, run at the same time, were hid in Mr. Cuming's house, the minister of Larges, which he seized, and gave the Commissioners notice by letter 30th October, 1711. By his information this last quantity when first carried to the minister's house was equal to the other. One Bredin, a boatman, seeing Sempill enter the house brought Mr. Montgomerie, Comptroller of Irvin, into the house after him and both dissuaded him from ordering the constable to break open the doors and said they knew there were no liquors there, though there was a hogshead of brandy in the very room where they were in, also a hogshead of brandy in the cellar, and a hogshead of wine and a hogshead of brandy in the stable. Montgomerie desired Sempill, when he writ to the Board, to acquaint the Commissioners he was present at the seizure. Montgomerie went after to the Earl of Glasgow's house where the collector of Irvin, the earl's uncle, was and returned about 4 or 5 hours after with one Johnstoun and one Millar, two of the waiters, and told Sempill it was the Earl's opinion that the seizure should be carried to Irvin which Sempill refused because he had sent for a boat to Port Glasgow and had a writ of assistance from that place. Then Montgomerie and his two waiters said they would take it by force and made pretence of hiring a ferry boat to carry it to Irvin; whereupon he quitted the liquors to Montgomerie and took his receipt for them and gave it to the Commissioners. Sempill believes this treatment from Montgomerie and the waiters occasioned the mob who carried away the liquors. He told Johnstoun who lived upon the place that he must know of the landing, who answered that the people concerned were too great for him to meddle with. Sempill offered the Board a list of witnesses to prove the above but it was never more enquired into.

When he first got his commission he had no settled salary but after the above service they settled him 60*l.* a year, but after about six months recalled it on pretence that it was too great and he was not so diligent after he got it. After recall of his salary they recommended him to their solicitors to pursue the minister before the Exchequer which he did at his own charge and the barons having compounded the same he got but a third though he was at the whole charge. The true reason why his salary was recalled was the resentment of Mr. Boyll, one of the Commissioners, against him for loading his brother, the Earl of Glasgow, and his nephew, Lord Boyll, as accessories, as one of the Commissioners acquainted him, of which he can make affidavit. Mr. Boyll told Sempill that he had loaded his brother, nephew, and minister, with the said run goods and might as well load others in that county as them, to which Sempill replied if he knew them he would without respect of persons. Mr. Boyll's resentment against Sempill and Houstoun is so great and his interest such with the Board that he still keeps Sempill from getting any salary and has got the Earl of Glasgow's brother-in-law, Mr. Crawford, made land surveyor at Port Glasgow in place of Houstoun without the least shadow of a fault, and his nephew the Earl of Glasgow's son to be collector at Irvin, Mr. More, the Earl of Glasgow's uncle, comptroller at Port Glasgow, Mr. Maxwell married to his cousin german, to be collector at Glasgow, at which and betwixt which ports the great part of the running trade in the west of North Britain is used, and there is none of the ports in the West of Scotland whereat he has not several under-officers of his own putting in, as by the said Memorial more largely is set forth.

THOMAS FOULERTON to the EARL of OXFORD.

1714, August 7. Custom House, Edinburgh.—Forgive me the pleasure of returning my most humble and hearty thanks for my being continued in the commission of the Customs these four years. You are the person in the world I am most indebted to and I do assure your lordship that amongst the very many on whom you have conferred benefits there is not one more sensible of them.

SCOTLAND (*continued*).

ANNE, Duchess of BUCCLEUCH, to ROBERT HARLEY.

1710, May 29.—I did hope no more to have had occasion of being troublesome to you otherways than to return you thanks for giving orders that my jointure should be regularly paid. It would prevent great inconvenience in my affairs, indeed much more than is proper for me to trouble you with the relation of. I shall say no more now but that I trust in your friendship which I had lately great proof of.

The SAME to the EARL of OXFORD.

1711, July 31.—I am extremely obliged for your having lessened the great arrear you found upon my jointure; though I did before now assure you of my thankfulness by my Lord Jersey, I cannot forbear again repeating the same because I am forced at this time to give you the trouble of a letter. My Lord, I am obliged to go in a few days to the Bath, therefore it will be a great obligation to me if you please to prevent the increasing of this arrear so as to be inconvenient to me and my being troublesome to you which I would avoid if possible.

1712-13, January 27.—My being out of town when I received your Lordship's letter is the reason I did not give you thanks for it before. My Lord, I must desire the opportunity of speaking with you, any time that will be most convenient to you.

1714, June 21.—I give your Lordship many thanks for your letter. I hope you will not suffer me to be any more in arrear. I have now one whole year due to me. I will give you no more trouble but to assure you of my being your Lordship's most humble servant.

[DAVID], EARL of WEMYSS to the EARL OF OXFORD.

1710, October 10.—According to your commands in getting you what information I could of the management of H.M. Customs here, I have sent you the enclosed Paper which I bid Mr. Fullerton draw out for me. I hope you will find him serviceable for he is indeed a man of worth and capacity. As to the mismanagements, I am told they are so many and so plain that they must be laid before you in the course of business.

I am glad to find so many people here wish so heartily for the Queen's service. I pray God increase the number. I shall be proud to receive your commands.

P.S.—There is one Ogilvie, Surveyor at Kirkaldie, put in formerly by E[arl] Seafield. He is of no great worth. If you would please to order one Thomas Row in his room, I can answer for him.

Enclosure.

THOMAS FOULERTON to the EARL of WEMYSS.

1710, October 6. Edinburgh.—If in the few minutes I had converse with your Lordship I rightly comprehended your design the enclosed [*not here*] will answer it. If it fall short pray endeavour to find in what, that I may supply the defects. Seeing you have vouched my fidelity I would fain also shew my capacity. For in the little time I have been employed I have taken faithful and true pains and I hope I not only know the business here but have also endeavoured to reduce the voluminous variety of the whole laws and duties of Customs into a short, plain, and regular, system and to explain the Book of Rates, which to me (although I had been 20 years conversant in the laws and trade of England) was like the tables of logarithms without a key. The enclosed paper might have been more nice but I think it is solid and true, and I am sure I have made haste.

[Sir George Mackenzie], EARL of CROMARTIE to [Lord Harley ?].

1710, October 26. My Lord, Will you pardon, and allow my giving you the trouble to deliver the enclosed note to your father and withal tell him that it is a reformed double of a little paper which I left with Her Majesty when I was last at Hampton Court, and it is my earnest entreaty that he would be pleased to obtain her answer, for either the grant or the refusal shall finally terminate all further trouble in it or any part of it.

Since I came from Hampton Court I have been so indisposed that it has been with difficulty I could yesterday go to take the oaths at Westminster Hall for capacitating me to give a legal proxy to the duke of Argyle for electing peers in Scotland, since I could not hope for strength enough to be personally there in due time, as I hope he will, nor could my being present be so useful in that matter as he can who knows better than I what is fitly concerted in that affair. I wish that all the noblemen may be unanimous in this and in all Her Majesty's service; and although they be not yet I do strongly presume that none will be elected but such as will sincerely join to serve our excellent queen in her own methods without passion or faction. As this has been a rule to myself, so it hath been my serious counsel and advice to all who have any regard for me and, I hope, not ineffectually; and I do most earnestly entreat that your father or your lordship, if you go to Hampton Court, to tell Her Majesty that nothing but inability as yet to travel has kept me from being carried down before now: albeit I am sure that I have done as much in her service in that election as though I were present, for I could not relinquish a duty which now for fifty years I have observed and (let the vanity be excused) without interruption; I shall not say, failure, but I do not remember it. My Lord, the enclosed is too long but the demands are few and short; and I shall earnestly desire that Mr. Harley may be at the pains to read it. As I did begin so I conclude by begging your pardon for so much trouble given. *Signed.*

P.S.—If the Queen make any mention to Mr. Harley of a paper I left with her relating to her service in Scotland, pray tell him that I will wait on him when and wherever he will command. I had gone to tell all this but that I cannot go abroad to-day.

The Earl of Cromartie's proposal.

[1710.]—It is with regret I find myself obliged to reiterate trouble to Her Majesty by so many papers. I offer this one in place of all the others. I hoped my small services which were faithfully performed, especially in the Union, would have brought me in amongst those servants who were paid of all former fees and salaries and are so fortunate as to carry with them tokens of Her Majesty's favour, whilst unfortunate I have been excluded, at least forgot, as to any tokens of the royal favour. But further, my debentures, in place of my ready payment, I am singularly cast over on the future Equivalent, which is almost equivalent to nothing. Therefore in all humility I presume to propose,

1. That Her Majesty may confer on my family the office of collecting the rents of the earldom of Ross. This office gives no kind of jurisdiction nor superiority over any one man but is a servile employment and the collector or chamberlain is obliged to the travel and expence of collecting the rents, and for fitting accounts every year in Exchequer. The salary is 83*l.* 7*s.* which will scarcely bear the travel and expence. The quota of the salary is always at Her Majesty's pleasure, so that she may augment this to what others have for the equivalent collection. If this be too much for me. May it please Her Majesty to bestow the chamberlainry and confer that office on my son for life or for Her Majesty's life, with 2 or 300*l.* for salary and pension.

2. As to my debentures I humbly entreat for a surer fund for payment than the Equivalent.

3. That Her Majesty may benignly and charitably bestow 100*l.* per annum on my daughter Jean, the widow of Sir Thomas Stuart, once lord of the Session who left her and four children without one shilling in the world, moveable or unmoveable, to afford them bread; and if Her Majesty grant this out of the privy purse or any other effectual course it will ease me of a considerable expence and will be a charitable favour.

4. That Her Majesty may know that the late Lord Treasurer did from her assure me of the expences of this my present journey to London. I did for the first six months receive from him 1,400*l.* which was more than the worth of my service. Now I have stayed five months more, let her do in this as she

pleases. If she will order 1,500*l.* of my debentures for me, I will desire little expences besides. *Copy. Endorsed by Harley.* E. Cromertie. Received Sept. 28, 1710, from his own hands.

This is the proposal his lordship stands by.

[WILLIAM KER, MARQUIS of] LOTHIAN to the EARL of OXFORD.

1710, November 14.—I have the honour of yours. The reason why my letters came not so exactly to your hand is I send them under cover to a friend.

When our friends see you I hope they will do me so much justice as to let you know that I did what lay in my power to serve the Queen according to her inclination and commands and if there be found anything amiss in our elections I am sure it is none of my fault.

I entreat you will forgive me to beg of you to let the Queen know I humbly beg of her as a mark of her royal favour that she will be pleased to give the first vacant company in the regiment of Guards I have the honour to command to my son who has been ensign in the regiment these three years. The two last vacancies were given to these I had no concern in, but since it was the Queen's pleasure I am pleased, though the most part of Colonels pretends to have a great hand in the naming of their officers, I will trouble you no further, entirely relying upon your allowing me your countenance both in this and all my other concerns. *Signed* Lothian.

Copy of an 'obligement' whereby David, Earl of Glasgow, undertakes to procure from William Kelsoe of Dalkeith, writer to the Signet, ratification of ane commission of this date in favour of Sir PHILIP ANSTRUTHER of Anstrutherfield, to be conjunct Clerk of the Bills betwixt [this] and 10 June next, and that Kelsoe shall deliver to Anstruther what consigned money is in his hands, or any writings or records in his custody relating to the office. In case Anstruther shall be refused to be admitted to the said office by the Lords of Session the earl shall deliver up to him ane bond by him and Sir Alexander Anstruther of Neuwark, as co-principals to the earl for the sum of 41,000 merks Scots, in sterling money 2,277*l.* 15*s.* 6⅓*d.*, also of this date, to be cancelled and each of the three parties to be in their own place again. And Sir Philip in that case is to give up the Commission with this obligement to the earl, also to be cancelled. The earl hereby declares also that Sir Philip Anstruther is to have the dues of the office from 1 May instant. Signed at London, 8 May, 1711.

The EARL of GLASGOW to the EARL of OXFORD.

1711, May 25. London.—Not finding your Lordship at home I beg leave with all my heart and soul to wish you much joy of that mark of Her Majesty's favour in being advanced to the peerage of Great Britain. I hope it shall be but a small earnest of the many great favours Her Majesty shall be pleased to confer upon you and which your Lordship so justly deserves. I heartily pray that God may bless you with long life and good health for a blessing to the queen and your country, for the support of the monarchy, and for the preservation and advancement of the prerogative of the Crown, in behalf of which your Lordship hath of late so signally and seasonably interposed.

The Earl of Leven to [the Same.]

[1711], June 2. Balgonie.—I beg your lordship will pardon the liberty I take to congratulate you upon the new marks of Her Majesty's favour which your Lordship has received. As the Queen in this has done justice to your Lordship's merit so Her Majesty has thereby also done a great deal of honour to the peers of Great Britain. All good men ought to wish that your Lordship may be more and more in her Majesty's favour and that it may be so shall ever be the earnest prayer of your most humble, most obedient, and most obliged, servant. Leven.

[David], Earl of Wemyss, to the Same.

1711, June 9. Methill.—I could not without doing violence to myself defer any longer wishing you all happiness and joy of the honours and preferments Her Majesty has so deservedly given you. You will pardon me if my just afflictions still make me unfit to insist upon a subject, although so pleasing to me, but to assure you that in all circumstances of my life I am with the greatest esteem and duty yours, etc.

Oxford's docket. Received June 16.

The Duke of Montrose to [the Earl of Oxford.]

1711, June 21. Edinburgh.—I hope your lordship will pardon me that being at such a distance I come so late to congratulate you upon the several marks you have received of Her Majesty's favour and will now allow me to make my acknowledgments of the just regard she has shewn to your merit and withal to make anc to your lordship of my humble respects. I shall lay hold of every opportunity to give proofs of that real and intire affection I have always professed towards her Majesty's person and Government.

Docketed by Oxford. Received June 29.

The Duke of Athole to the Same.

Memorial recommending Mr. Gilbert Steuart to be a Commissioner of Customs in Scotland: Mr. John Douglas to be a Commissioner of Excise there; Mr. Blaire to be Collector of Customs at Dundee; and Mr. Alexander Murray to be Collector of Customs at Leith or Cashier of the Excise in Scotland. London. July 5, 1711.

The EARL of HYNDFORD to [the EARL of OXFORD.]

[1711], June 28. Edinburgh.—The civility with which you was pleased to treat me when I waited upon you at London doth encourage me to beg and expect a share in your favour. I have nothing to ask of Her Majesty: I acknowledge her great goodness in countenancing me in the post in which I have the honour to serve her, which I shall do with all faithfulness and zeal for the honour and quiet of her government. But I hope you will not take it amiss that I beg that through your countenance and protection I may have such a concern in recommending officers to vacancies that may happen to be in the regiment of dragoons I have the honour to command as may preserve some reputation to me among those that serve under me, that they may not look upon me as one that have neither interest nor friend at Court. I am neither so arrogant as to pretend to dictate to my sovereign nor so undutiful as not calmly to acquiesce in her royal pleasure all that I pretend to is that for the good of her service in the post she has been pleased to place me in I be not altogether neglected in the filling up of vacancies in my regiment. Your lordship's great abilities which in a changeable, corrupted, world cannot well escape some measure of envy, if not reproach too, and the advantageous character as to a firm concern for the true interest of the Queen, the prosperity of her dominions, the security of the protestant religion, and our just privileges according to our present happy settlement, which some here, who have had the advantage for some years of knowing you more particularly, do give of you, and particularly Mr. William Carstairs, principal of the University of Edinburgh, cannot but persuade me and many others in these parts that Her Majesty will soon find the good effects of having so able and wise a minister at the head of her affairs; and that under divine conduct your Lordship shall be a happy instrument of giving a cure to our unhappy divisions and distractions.

[JOHN HAMILTON], LORD BELHAVEN, to the EARL of OXFORD.

1711, July 16. Beel.—I cannot but return thanks for the civility you shewed me when I had the honour to wait upon you at London and for the promises you were then pleased to make me that you would do me service either in what I proposed myself or in something else you told me you had in view for me but did not then think convenient to name it. I depend entirely upon your promise which gives me assurance that you won't forget me. The Queen can employ none who shall be more diligent in her service nor who shall have a more grateful sense of your Lordship's friendship which I shall be ready to shew whenever you are pleased to lay your commands upon me.

The EARL of KINCARDINE to the EARL of OXFORD.

[1711], July 23. Edinburgh.—Seeing your lordship has so generously endeavoured to relieve the Queen and the Government from some difficulties they lay under, I take it to be the duty as well as privilege of every man who wishes well to his country to contribute his endeavour in furnishing you with such materials as may be useful or assisting in so great and good purposes. In a sense of this duty I offer the enclosed (*not here*) which I leave to speak for itself. I do not pretend to great capacities but nature by a good number of years has afforded me the opportunity of much experience. I have been now sixty three years in business and a Parliament man ever since the Restoration. I have had some small share in many of the public transactions of these times ; and believe me the best bottom a great minister can stand on is to take care of these points of the sovereign and subjects' interests which I have observed are most commonly neglected by ministers as not worth their minding. I really believe your lordship acts by more generous and solid rules and therefore I have given you the trouble of this as a small testimony from this remote corner of my good wishes towards you. If you do not think fit to entertain the thing, pardon my sincere though weak endeavours. It is but a short, rough, draft and if any part of it wants to be explained, I shall be very ready to give you what satisfaction I am capable of and shall in due time lay some other matters before you touching the improvement of the revenue here. Perhaps matters of this kind may draw the displeasure of some of my countrymen upon me though without ground, but I think I am in my duty. I heartily wish your Lordship may long enjoy that favour you have so boldly struggled for and so justly deserved. *Signed.*

Docketed by Oxford. Scotland. Earl of Kincardin, July 23, 1711. With a new model of the Sessions. Received July 31.

MARQUIS of ANNANDALE. Memorial. The Earl of Nithsdale, heritable steward of the stewartrie of Kirkcudbright, being a professed papist and so not in capacity to exercise the office, in 1698 disponed it to the Duke of Queensberry, upon which the Duke was enfeoffed under the Great Seal. In 1699, the Duke grants a backbond to the Earl bearing that the foresaid disposition was only granted to him in Trust for the Earl's behoof and obliging him to repone or retrocess the Earl when required. In consequence of this backbond, in April 1707, the Duke grants the Earl a disposition narrating the above disposition and backbond and in implement of the backbond dispones to the Earl the office of stewardrie with a procuratory of resignation and for his further security repones and retrocesses him in his own right and place which he had before his granting of the foresaid disposition. The Earl thus reponed to his own right and place of the said office, disponed the same immediately to the Marquis of Annandale and assigned him to the foresaid disposition and procuratory of resignation to the end that resignation might be made thereon in favour of the Marquis, which was accordingly done; and the Marquis thereupon obtained a signature passed in exchequer, which was given in to be passed the seals.

But the Duke of Queensberry having conceived a new design to reach this office another way, a contrivance was made for getting up the signature passed in the Marquis's favour, without his order or knowledge, and then, the signature being unduly kept up, the Marquis is obliged to make protests and take instruments, as he did, for preserving of his diligence and the signature that he had 'expede' and while the Marquis is thus postponed the Duke obtains a commission from the Queen to exercise the office during his life or until the Earl of Nithsdale should qualify himself according to law. Upon this competition betwixt the Marquis having a signature 'expede' but unwarrantably withdrawn and kept up and the Duke of Queensberry obtaining in the meantime the queen's commission for exercising the office, a contest arises betwixt their deputies, which occasioned the matter to be brought before the Privy Council of Scotland in June, 1707, and the Council having heard both parties thought fit to remit the point of right in controversy to the Lords of Session, but in the meantime continued the Duke of Queensberry's deputy in possession of the jurisdiction.

But the Marquis of Annandale having for maintaining of his right raised a reduction, improbation, and declaration, against the Duke of Queensberry upon the remit of the Council the said action of declaration was tabled before the Lords of Session and being fully heard the Lords by interlocutor of July 22, 1707, found that the Earl of Nithsdale, though a papist and not qualified according to law, could dispone his heritable jurisdiction as steward of Kirkcudbright in favour of the Marquis.

Against this interlocutor the Duke thought fit to reclaim by a long petition of which the substance was that by the earl's incapacity the right of disposing of the office was fallen to the Queen.

The Marquis answered (1) that the grounds objected were considered by the Lords before they declared and reduced: (2) that it was a mistake to suppose that a papist could not denude himself of an heritable office in favour of a protestant: (3) that the disposition granted back by the Duke was by backbond granted before the Act of 1701 and did not fall under the prohibition of that Act: (4) that the Earl's disponing in favour of the Marquis was a free deed prohibited by no law: (5) that any backbond granted by the Earl to the Duke was only for his security and no exercise of the office upon the Earl's part: (6) that the Duke should not after retrocession of the office have impetrat the Queen's commission to himself in prejudice of the Earl of Annandale.

The death of the Duke has now put an end to his right and commission and the Marquis's process and the Marquis having the foresaid interloquitur in his favour did most rationally judge his most expedient way was to present a new signature and did present it. And he prays Her Majesty to signify her pleasure that there be no stay thereof in the Exchequer but that it be passed accordingly. *Oxford's docket* Received from D. Hamilton, July 27, 1711.

Another copy of the foregoing.

The EARL of CROMARTY to [the EARL of OXFORD.]

1711, September 1. London.—I am under awful caution not to waste your time nor would I anticipate Tuesday if it had not been hinted yesternight that something whereof I am to write may be under consideration at Windsor before that time and errors arising from mistakes are prevented with less trouble than cured. Some things in the Union are my sad examples. My Tuesday's task shall be in as few heads as I can. One will be the Chamberlain's office and I suspect that it may fall under consideration amongst the first in Scots' affairs. I have enclosed a little paper relating to it. Your Lordship said that you would speak to Her Majesty of my trifling concerns. In view thereof I have enclosed my complaint and the remedies; I intend not to repeat them, if not forced by strong necessities, from which as the Queen easily can so I hope from your favourable interposition one who is and hath been a faithful subject will be delivered.

Enclosures. Proposal for the Earl of Cromartie;—

1. That he may have the chamberlain of Ross heritably.

2. That my son may have the gift of the feu duties of his lands, wherein he stands enfeoffed in property holden of the queen.

3. A pension of 100*l.* to my daughter Jean, widow to Sir Thomas Stuart, late lord of the session.

His private Memorial. That some mark of royal favour be conferred on his no very rich little family, after his 50 years service to the Crown with distinguished zeal in the matter of the Union.

Satisfaction of his just claim to debts due to him from the Crown.

The EARL of LEVEN to the EARL of OXFORD.

[1711]. September 8. Balgonie.—I beg leave to put your lordship in mind that now the time of taking the dragoon horses from grass draws near and therefore it is necessary that dry forage be provided but I can give no orders relating thereto until a commissary be appointed.

There has lately been a small parcel of arms seized in the Isle of Mull but being to write fully to my Lord Dartmouth of it I shall not give your lordship the trouble of any further account thereof.

The EARL of DUNDONALD to the EARL of OXFORD.

1711, September 10. Paisley.—Since I have not the honour of your lordship's acquaintance I must beg pardon for this trouble. Being desirous to be chose in the place of Duke Hamilton, I thought it my duty to apply to your lordship that you will be pleased to lay this before Her Majesty and that I have nothing before my eyes in this matter but her service and the good of my country which I shall always prefer to any private interests whatsoever. So hoping to have your lordship's favour in this affair, I am with all respect, etc.

The EARL of CROMARTIE to the EARL of OXFORD.

1711, September 27.—A moral necessity doth not fully express what forces me from longer stay here,and that, I hope will excuse these too frequent repetitions thereof. I am sensible of the very little proportion I bear to your Lordship's affairs either as to time or matters, but, if it may help me or invite your allowance of some minutes for me, I promise that no part of them shall be misspent on what I either think or wish in public affairs nor in what is above the little interest and concerns of your most obedient servant.

Enclosures.—Proposal that 300*l.* which the earl paid yearly to the Earl of Hyndford, now deceased, by the Queen's gift to him forth of the Earldom of Ross, he may be warranted to retain in payment of debentures of 3,600*l.* due to him on the Equivalent until the same be paid thereby.

Statement of things desired by the Earl.

1. Payment of 3,600*l.* due by debentures bearing interest from June 4, 1708.
2. What Her Majesty pleases to allow, for his expenses of this journey and twenty three months attending in London, whereof he has received 1,600*l.*
3. Some mark of her grace now that he is retiring after 50 years service.
4. That he having kept 6 or 7 members in all parliaments since her reign in Scotland, some of these may be favoured with some small offices.
5. If Her Majesty please to confer 100*l.* on the poor widow and 4 children of a senator of the college of justice who died leaving them without the value of 1s. to live on.

Proposals for a duty on Wool.

1711, September 28. London.—Proposals for raising 6,000,000*l.* *per annum* by laying a duty upon wool.

Docket. The humble proposals of William Henley, Robert Dowling, and Constant Oates, introduced to the Earl of Oxford by John Nettervill, Esq.

Further proposals of the same for raising 4,000,000*l.* and upwards *per annum* by a duty upon all sorts of fine wool, merchantable hair, block tin and lead, iron, brass, and pewter; also upon all sorts of calicoes and printed linen; upon all sorts of burnt lime, tiles, slates and bricks, and upon all manner of public signs and signals.

The Earl of Morton to [the Earl of Oxford.]

1711, October 13.—Your Lordship having given me leave to present a memorial about my brother's pretensions to the lieutenant-colonel's post vacant in Colonel Ker's regiment by the death of Sir John Johnston, I humbly presume to send the enclosed memorial (*not here*) hoping your lordship will assist in moving the Queen to give him that post for the reasons inserted in the memorial.

P.S.—If your Lordship thinks fit the Duke of Marlborough may be desired not to dispose of the post till her Majesty's pleasure be known.

The Earl of Glasgow to the Earl of Oxford.

1711, November 13.—Returns thanks for his Lordship's goodness and favour to which he owes it entirely that he is hitherto continued in his office of Register of Scotland. Whether or not his Lordship continue him in his office, he will always serve him and his interest in opposition to any other interest in Great Britain. Can appeal to Her Majesty that during the three years he served in the House of Lords, when the late Ministry and the Junto Lords pressed measures contrary to her prerogative and her own inclinations, he waited on her and received and followed her directions, and divided from them in the House of Lords; particularly in 1709, when there was a surmise of carrying an Address for removing some of her own servants from about her, he waited on her and signified his utter abhorrence of such unaccountable and barbarous measures and heartily offered his poor, small, services to oppose the same.

He received the office of Register in consideration of his place of Treasurer Deputy which he enjoyed at the Union and of his services in carrying on the Union having advanced 6,000*l.* towards payment of the fees of servants of the government and pensions, which he got not repaid till several months after, the fund for the Civil List being exhausted. Her Majesty was pleased to give him a settlement of 1,200*l.* per annum and upon Lord Philliphaugh's death gave him the office of Register in place of his settlement. Now he depends entirely upon his Lordship's favour and protection.

[ALEXANDER, baron] POLWARTH to [the EARL of OXFORD.]

1711, November 23. Edinburgh.—Though I have not the honour to be known to you, I entreat your favour to Sir Andrew Hume who is sent to attend the House of Peers with the accounts of the Equivalent. He has been in that Commission from the beginning and has served in it with great integrity. He is to receive your Lordship's orders and to carry himself in that affair as you shall direct.

[SIR PATRICK HOME, EARL OF] MARCHMONT to the SAME.

1711, November 26. Redbreas Castle.—His Lordship's favourable carriage to him when he was at court encourages him to take the liberty to recommend his son the said Sir Andrew to his countenance and favour.

The EARL of CROMARTIE to [the EARL of OXFORD.]

1711, December 19.—I still hope your just favour will excuse a well grounded fear that so little a thing may be forgot midst so many and so great ones. A very little time will give your Lordship's pleasure to me and yet less shall be robbed in my saying some things to you which shall be few and soon delivered ; nor would I insolently add any were it not (as I think) a duty on long and perhaps eternal parting, so, in few words, I would frankly tell some humble thoughts from your most humble and obedient servant.

The EARL of SEAFIELD to [the EARL of OXFORD.]

1711, December 22. Cullen House.—I did presume to write to your lordship when I was at Edinburgh and did then send that memorial your lordship desired the last time I had the honour to wait on you. I wish I were capable to do the Queen or your lordship any service ; I would think myself very happy in it being most sensible of the duty I owe to her Majesty and of the obligations I have received from your lordship. I am very much troubled with the accounts we have in the public letters of your indisposition. I heartily wish for your recovery and that you may have good success in the Parliament and the negotiations of peace. I beg leave to recommend to your favour Captain Abercrombie who is Parliament man for the shire of Banff. He is very willing to attend the queen's service in Parliament and observe your lordship's directions in everything, for this I have earnestly recommended to him, but having attended all the Parliaments and served all the campaigns since the Union without any assistance he writes that he must return home unless your lordship do something for him. He applied to you for a gift of *Ultimus heres* which he had reason to hope the queen would have given him or some equivalent. If your lordship do for him he will be very faithful to you and useful. I am the more concerned to have something done for him because it is by my interest that he is elected. I have persuaded Mr. Reid, who represents the towns in which I have interest, to return: I shall write with him to your lordship.

Docketed by Oxford. Lord Seafield, E. Finlater. December 22, 1711.

Received January 19, 1711-12.

1711, December 25. Cullen House.—Has persuaded the said Mr. Reid to return this session and earnestly recommended him to serve the Queen and his Lordship faithfully. Entreats his Lordship to take him under protection by procuring for him either a captain's commission in the army or some post that may enable him to attend without being burdensome to his own estate. This young gentleman will deserve any favours bestowed on him.

Oxford's docket. Received February 1, 1711-12.

[William Keith], Earl Marischall, to the Lord High Treasurer.

Memorandum. There being a troop of dragoons in Lord Hyndford's regiment vacant by the death of Captain Denham, I hope your Lordship will desire the Queen to confer it on my son the Lord Keith. It will be a provision for his further education and improve him for Her Majesty's service.

As to my own circumstances. I came with great pleasure to serve the Queen's interest in Parliament notwithstanding difficulties from my health and my affairs. The session has been long and my expense much greater than I expected. If your Lordship's kindness represent the difficulty of this case to the Queen, I doubt not her goodness will make it as easy to me as possible.

As to serving the Queen in any post or capacity, I leave that to the Queen's goodness and wisdom and your Lordship's friendship.

I doubt not that the losses of my family by the Union will be considered. The most essential parts of the office of Earl Marshal rendered impracticable: its dignity, power and figure as well as profits in effect extinguished, I cannot but hope to receive some proportionable equivalent. [1711.]

Lord Wandell. Memorial. Her Majesty granted him a pension of 200*l.* out of the Scotch Treasury for nine years from Michaelmas 1705.

Has never received any of this bounty, the terms which had run before the Union being only stated on the last class of the Equivalent, so that he has very uncertain hopes ever to be paid.

The barons of the exchequer in Scotland declared that the terms subsequent to the Union did not affect the Equivalent but the Treasury of Great Britain.

Prays that Her Majesty will recommend to their Lordships that the terms past and to come since the Union may be made effectual. [1711.]

Docketed, To be laid before the Queen.

R. COUNTESS of FORFAR to [the EARL of OXFORD.]

1712, April 5.—I must once more desire your Lordship will let me know before I leave London if the pension named for Lord Forfar be signed, as I hope and again earnestly beg, in consideration of our circumstances, you will allow us your assistance in obtaining an order for the 600*l.* formerly mentioned which added to the nine already received completes the payment of that small pension granted by Her Majesty soon after her accession and I hope will not be thought too great a reward of past services or compensation for the irrecoverable losses we have made by the Union. When I presumed to give a Memorial of this Her Majesty said she would read and consider it ; to which having yet no answer I beg I may have it from your Lordship.

Having been acquainted by Lady Masham that in return to Lady Sutherland's petition the Queen said she would order you to write to her and know to whom she would have the money due to her paid and give orders for it being paid, which is all I could desire.

Docketed. Memorandum Her Majesty in 1704 did grant to Earl Forfar a pension of 200*l.* for 9 years from Whitsuntide 1704, towards the maintenance of his son Lord Wandell.

For 3 years to Whitsuntide 1707 there is stated to be paid out of the Equivalent 600*l.*

There has been paid by Mr. Compton for 4 years to Whitsuntide 1711, 800*l.*

And to the Countess of Forfar by the said Mr. Compton pursuant to two warrants for 200*l.* each by way of bounty, 400*l.* Total 1,800*l.*

The EARL of LEVEN to the EARL of OXFORD.

[1712], April 19. Balgonie.—I find myself under a necessity of giving your lordship this trouble to represent the condition of Colonel Windresses regiment. They wanted money when they came first to this country and it was with great difficulty that I got them some credit here but now I find it impossible to persuade persons to accept any more of their bills. Therefore I must beg that your Lordship will take the condition of this regiment into your consideration. Her Majesty has ordered me to send this regiment to Inverlochie but the want of money has stopped the march for some time.

I am informed that there is one Colonel Olephant lately come [from] France and I am endeavouring to know what he is doing in this country and with whom he converses, which I shall be sure to give your lordship ane account of how soon I get anie further information of him.

Docketed by Oxford. E. Leven Apr: 19, 1712. Received Apr: 28.

[WILLIAM MACKENZIE] EARL of SEAFORTH to the EARL of OXFORD.

1712, May 7.—While the weight of the great affairs of Europe lies upon your Lordship's hands, it is no wonder if those of less consequence are forgotten. I would not take the liberty of giving your Lordship this trouble if my private business did not of necessity require my being in the country so suddenly nor would I leave the town without acquainting you to receive your commands.

1712, May 9.—In answer to your lordship's which just now I had the honour to receive, I am so sensible how precious time must needs be to you that I would by no means be instrumental in your losing the least minute of it and rather than you should have the trouble of coming to me, if you will appoint the hour that you'll give me leave to wait upon you, your lordship shall be punctually attended to.

P.S.—I have sent my servant to bring me your lordship's commands.

The SAME to Captain JOHN OGILVY.

1712, June 4. Wooton.—Thanks him for his of the 30th. Is much obliged to the Lord Treasurer for being in his interest. Knows no dependence that the determining of his affairs has on peace or war except the danger of its being forgotten in the hurry of business, which Ogilvy may prevent having access to his Lordship; if it is deferred till the Queen is quite at leisure, it may hang on the hedges, for if he is not misinformed there is work enough cutting out for Her Majesty. His case is short and soon understood, whether or no his family has suffered for the Crown or if it be capable to serve it. Home business calls him to Scotland, he having concluded what he came for. His present residence in England will be no longer than his Lordship pleases and the sooner he can go will be more to his satisfaction as well as advantage. *Seal.*

The SAME to the Earl of OXFORD.

1712, June 16. Wooton.—Makes use of the liberty his Lordship gave him of writing, to congratulate him on the first reception that the progress made towards peace has had in Parliament to the confusion of his Lordship's enemies as well as the great satisfaction of his friends, the whole being attributed to his wisdom and indefatigable industry. None can rejoice at what tends to the establishment of his honour and interest more than his most faithful humble servant.

[LORD ROSEBERY] to the EARL of OXFORD.

Finding that I should have difficulty with the barons of Exchequer in Scotland to allow me the pension of 158*l.* I have from Her Majesty I applied to you last year for some addition to my salary as chamberlain of Fife in place of that pension, and that it might be secured to me for 32 years which you were then willing should be done and I believe Her Majesty had granted, had not the barons made some difficulty. I did about a month ago give in a memorial to you desiring that what balance I have in hand might be allowed for the rest of my pension. But finding the barons will still make difficulty not only now but hereafter to allow my pension which I think I have good right to, I beg your Lordship to lay this matter before Her Majesty to change my pension into salary and add it to the salary I now have, and that it be secured to me for thirty-two years or during life; and what balance I have in hand (not exceeding 1,000*l.*) be allowed me in place of what is owing me of my pension. *Unsigned.*

Oxford's docket. Lord Rosebery. Received May 30, 1712.

Lord EGLINTON to the EARL of OXFORD.

1712, June 12.—I thought to have spoken to you yesterday in the House of Peers, but there being no business of moment I judge was the reason you were not there; and this day there is nothing, I am told, but private business to be before us it is probable you may employ yourself in what is more important. Wherefore I have presumed to give you this trouble that I may acquaint you that I am informed you intend I should yet stay some weeks that I may have your instructions in relation to the Commission of Trade and 'Chamberlandrie.'

I hope your lordship will not think me guilty of so much weakness as not to comply readily with the least insinuation, and much more a desire, of so trivial a matter from your lordship were it not that my earnestness to be gone proceeded upon very good reasons and such as nearly concern my family, the detail of which is neither fit nor worth troubling your lordship. I shall therefore wait upon you the morrow morning and, if you please, receive your commands, I waited upon the Queen yesterday and returned my most humble acknowledgments for allowing your lordship to pay me the 500*l.* was owing me, and as I shall always have a just sense of your obtaining me this favour so if you would be pleased to order my payment it would be a great addition to the many obligations your lordship has laid upon me,

The EARL of FINDLATER to the EARL of OXFORD.

[1712], June 13.—I am ashamed to trouble you so often with any concern of mine especially having obtained your promise for what I desire. It is that you would order payment of what is owing me of my pension, which is about 1,100*l.* at Lady Day last, being a quarter of my full pension, and two of the 1,000*l.* that continues settled here. I have several thence to provide and pay which will take some time and albeit I think my service is necessary in Scotland, the President of the Session being ill and Lord Ilay being there, yet I shall willingly continue here so long as your lordship thinks I may be useful to the Queen or you. Your granting this favour will put a very great obligation upon me having relied upon this fund for my existence here. I hope you will pardon this trouble.

The EARL of SEAFIELD to the EARL of OXFORD.

1712, June 16. Cullen House.—I did some time ago presume to write to your Lordship and enclose a letter to her Majesty which I hope came safe though I could not expect the honour of a return your Lordship having the management of affairs of the greatest consequence. The great inclination I have to be useful to Her Majesty and your lordship hath occasioned you this trouble. By the death of the Earl of Marischal there is a vacancy of one of the sixteen peers of Scotland. If the queen and your lordship think proper to employ me to succeed him there shall none serve in that station more faithfully but in this I shall have entire submission to her pleasure and what your lordship shall think fit and shall be ready to give my concurrence and interest for any you recommend, nor shall I use any for myself unless I have your approbation. I am most sensible of the duty I owe your lordship for the friendship and civility I received from you when I was last at London and the assurances I had from the queen and you of the continuance of my pension. I depend upon your lordship's justice and favour in this and the payment of it would be of great use to me at present. I will do any service in my power.

P.S.—I intreat your lordship may take the trouble to deliver the enclosed to the queen. *Holograph.*

Docketed by Oxford. Received June 30.

[LUCIUS HENRY, Viscount] FALKLAND to the EARL of OXFORD.

1712, June 30.—I should not trouble your lordship with this had I not occasion for money. When I was to wait on your lordship I could not get opportunity of acquainting you with my necessity. There is due, last Midsummer, of the pension the queen is pleased to grant me 250*l.* which if you would be so kind to order Mr. Compton to pay me it would make me extremely easy in freeing myself of some debts which clamorous tradesmen urgently demand of me and whom I can no otherways satisfy. I must beg the favour to grant my request speedily; and shall attend your farther orders about my proxy into Scotland whenever your lordship shall please to give me them. I have ever found your lordship so favourable to me on account of money, when necessity, as at present, has obliged me to desire it, that I doubt not your goodness in ordering this 250*l.* which will near free me from importunities and permit me to be less troublesome which that I may be and capable of serving you are the two chiefest wishes of, my lord, your most obedient, etc. Falkland.

LORD BALMERINO to the LORD HIGH TREASURER.

1712, July 1. Edinburgh.—I am very easy under the disappointment I have met with and I easily foresee that upon the next occasion of a vacancy in Session and justiciary the like importunity will have the like effect. Nothing can prevent this except I get a promise from the Queen of that vacancy—a thing which perhaps may not fall out these seven years. This I mention with absolute submission to your lordship and if you think it fit I know that you will procure it for me; and if not, it shall not in the least alter the resolution I have taken to be your humble, etc.

Oxford's docket, Received July 9.

The EARL of SEAFIELD to the DUKE [of ARGYLL.]

1712, July 1. Cullen House.—It was a great comfort and satisfaction to hear of your safe return to Britain. I presume to acquaint your grace that there being a vacancy of one of the sixteen by the death of the Earl of Mareschal I am desirous to succeed him in that station seeing it would make me more capable to serve the Queen and my country. I did also when I was last at London receive very great obligation from my Lord Treasurer of which I am extremely sensible. Now if your Grace and my Lord Ilay would give me your assistance on this occasion it would be an obligation I should never forget and it would give me hopes to succeed. I have already presumed to acquaint Her Majesty and My Lord Treasurer of my design. It is unnecessary that I should give the Earl of Ilay any trouble since I intreat your grace may communicate this to him and do me the favour to give him my most humble service.

The SAME to the EARL of OXFORD.

1712, July 1. Cullen House.—Is ashamed to be so troublesome but hopes it will be excused since it proceeds from his great desire to be capable to serve the Queen and his lordship. Since he wrote last, he has received letters from friends encouraging him to endeavour to be elected in the place of the Earl of Mareschal. This has obliged him to communicate his design to those in the Queen's service who were employed by her at the last election. If his lordship favour him in this, he shall find none more ready to serve the Queen and to promote his lordship's interest. Is unwilling to encroach upon his time but must signify his great satisfaction in observing that his lordship by his prudent administration has it in his power to obtain a peace that brings with it so great advantages to Her Majesty's subjects; and heartily wishes it may be accomplished. Entreats to know his lordship's pleasure concerning his election and desires he will present the enclosed (*not here*) to the Queen.

The EARL of LEVEN to the EARL of OXFORD.

1712, August 23. Balgonie.—Returns thanks for his Lordship's kind and obliging letter. Is mighty proud of the assurances that Her Majesty intends to take care of him: wishes it were in his power to make suitable returns. Has a heart full of duty and zeal for her interest and service as much as any who has the honour to be her subject. Lord Haddo is under great obligations for the honour his Lordship has put upon him and ready to serve her Majesty and his lordship faithfully and honestly. His lordship may believe that Leven went cheerfully into the measure about the Earl of Findlater since his lordship was pleased to mention it to him. Depends entirely upon Oxford's favour and assistance.

EARL FINDLATER to the EARL of OXFORD.

1712, September 23. Cullen House.—I did resolve not to trouble you until waiting of you at London, but having prevailed with the freeholders of the Shire of Banff and the Barons of Banff and Cullen to address Her Majesty upon the prospect we have of a peace by your successful administration I transmit them to you and I entreat that you do these gentlemen and barons the honour to present them to Her Majesty which I hope she will receive as a testimony of their duty and loyalty. I intend very soon to leave this place and go to Edinburgh that I may be nearer to receive your commands and I shall take care to be at London before the meeting of Parliament, or sooner if required, ready to do the Queen and your Lordship service. I have not had advice from John Campbell, my attorney at London, that your Lordship has paid any part of my pension since Michaelmas last, I am unwilling to give trouble but it would be at present of great use to me and I rely upon it that you will do for me as you do to others.

Oxford's docket. Received October 3, with three addresses.

[DAVID] EARL of WEMYSS to the EARL of OXFORD.

1712, October 6.—The unwillingness I have of giving your lordship trouble has hindered me from acquainting you till now that the professorship of divinity at St. Andrew's is lately vacant. A prudent, moderate, man may be of more use about that university than such as perhaps may be recommended to your lordship, and therefore I presume to mention one Mr. Scrymzour who is a philosophy professor there, who I persuade myself, both as to his sufficiency and prudence would please you if you would ask about him. I shall not be rash in my recommendation and I believe I may say that the gentleman would not be unacceptable to these of the presbyterians who are most to be considered.

Oxford's docket. Received October 16.

The EARL of SEAFORD to the EARL of OXFORD.

1712, October 14.—I take the liberty by this to congratulate your recovery to health which I heartly wish may be confirmed to you for long continuance. If it may be without trouble I would beg leave to kiss your hands at such time as will suit best with your convenience.

The EARL of LEVEN to the SAME.

[1712], October 25. Balgonie.—I am very unwilling to be troublesome especially in my own concerns but your Lordship being the only person I depend upon I hope you will allow of my addresses when I am in any strait or difficulty.

There is a report as if I were in danger of losing the command of the castle of Edinburgh. I hope there is no ground for this ; however I thought it my duty and interest to take this occasion to throw myself upon your protection and beg your favour and assistance at this time which will be more than sufficient to preserve me from any bad effects of the malicious misrepresentations of my enemies.

The Earl of LINLITHGOW to [the EARL of OXFORD.]

1712, November 1. Callander.—The fear I had of intruding on affairs of greater concern is the reason I have been so late in acknowledging the singular favour your Lordship has shewn me in procuring my commission of Captainrie of the Castle of Blacknesse. However I now do it with the utmost sincerity. There is nothing I shall esteem a greater happiness to me than to have an opportunity of shewing my gratitude otherways than by words. If therefore you will honour me with your commands, you shall find none more ready or earnest in your service.

Oxford's docket. Received November 11.

Enclosure.—The true case of Lord Linlithgow's right and claim to the Captainry of the Castle of Blacknes.

The heritable right of the captainry and constabularie and keeping of the said castle was disponed by charter and settled in the person of the Earl and his predecessors who were in possession of that office for these 150 years bypast. Their rights and charters were produced to Sir David Dalrymple, present Lord Advocate, who gave his opinion that Lord Linlithgow's title was unquestionable; and his predecessors had enjoyed that office 150 years. But upon the death of the last earl, the present earl being a minor the Government gave several commissions, particularly to the Earl of Buchan and thereafter to the Earl of Dunmore, against which the Earl of Linlithgow did protest and now upon the death of Dunmore he expects Her Majesty will restore him to his rights. *Endorsed* 1710.

The EARL of SEAFIELD to [the EARL of OXFORD.]

1711, November 1. Edinburgh.—Has presumed to send the enclosed memorial (*not here*) which contains the heads of what passed when he last had the honour to wait on him.

Is truly sensible of the justice his lordship has done him and of his friendship. Would esteem it his duty and happiness to do him any service. Is ready to attend Her Majesty's service whenever called. His lordship knows what encouragement he had to expect the peerage and makes no doubt but the Queen will make good her royal promise. If nothing of this kind be thought proper at this time, he is ready to use his interest to be elected in place of Duke Hamilton; or if the queen think another more proper is ready to join his interest as she pleases.

There is only one other thing which is the vacancy of the extraordinary Lord of Session. Has made application to none but his lordship for this and desires only to owe it to him. Ventures to say this would be acceptable to a great many because his education has rendered him more fit for this than any other place.

Humbly submits all these his concerns to his lordship and wishes him good success in the Parliament and the negociations of peace.

[WILLIAM KER] MARQUIS of LOTHIAN to the EARL of OXFORD.

1712, December 5. London.—Having been very ill ever since I had the honour to see your Lordship and continuing so still, I humbly entreat you to mind my affair when with the Queen that I may know her and your pleasure concerning me when I shall be able to wait on your Lordship.

The EARL of GLASGOW to the EARL of OXFORD.

1712-13, January 3. Edinburgh—Begs leave to wish him a good New Year and many, many, of them and heartily prays that God may long preserve him in good health who hath been so great an instrument in bringing about and concluding such an honourable peace not only to Great Britain but to the greatest part of Europe; and sincerely prays that his Lordship may be ever continued in the station he enjoys to give faithful counsel and advice to the best of queens, whose interest he has so signally espoused against the enemies of the crown.

Its but little service he can do his lordship but so far as he is capable he will ever faithfully serve his interest.

Docketed by Oxford. Received January 14.

[KENNETH SUTHERLAND] Lord DUFFUS to the EARL of OXFORD.

1712-13, January 14.—Yesterday Mr. Taylor told me that your lordship had been pleased to sign a warrant for 100*l.* to pay the remaining part of my debts at Dunkirk, and, at the same time that I most heartily thank your lordship for despatching what my honour was so deeply engaged for, give me leave to put you in mind that now after having waited a month under sailing orders my character in the service will suffer by keeping a ship of that force any longer from sea. When I spoke last with your lordship at your own house it was my greatest satisfaction that you so readily approved of the preference I gave to my wife's settlement before any other part of my own business. The truth is your lordship has been so extremely kind to me and my family that I have nothing left to ask but that settlement and what your lordship thinks reasonable to allow for equipping me with such necessaries as I cannot dispense with at sea. Your lordship knows the queen was so good as to promise both and I am so sensible how many other things of much greater moment take up your whole time that I should wait with patience if the queen's service and my own character were not equally concerned. On this account only it is that I must, and do, earnestly beg your lordship will in two or three days despatch me that I may not be forced to neglect any part of my duty, which I am not in a condition to perform without your assistance. I shall wait on you at the levée to receive your commands. *Holograph.*

The EARL of GLENORCHIE to [the EARL of OXFORD.]

1712-13, February 17. London.—Your lordship having been pleased to allow me to bring you a memorial of what my father desired as a favour of her Majesty and not having the opportunity of waiting on you, obligeth me to give your lordship the trouble of addressing you this way. I have sent your lordship a memorial, copy of the last discharge, and copies of two ways of granting it now, (*not here*) that you may take what method you think fit.

[HUGH CAMPBELL] EARL of LOUDOUN to the [EARL of OXFORD.]

[1713 ?], March 6.—I beg leave to put your lordship in mind of George Reid whom I recommended to be a tide-waiter.

The EARL of LEVEN to [the EARL of OXFORD.]

[1713], March 23. Balgonie.—I must beg leave to put your lordship in mind of the letter I had the honour to receive from you 8 August, 1712, a little after Her Majesty thought fit to lay me aside from her service, wherein you were pleased to assure me that Her Majesty was resolved to take care of me, which I have entirely relied upon: and now I hear that Her Majesty has thought fit to lay the Duke of Argyle aside from her service so I most humbly beg that your lordship will use your good offices for me with her that she may now make effectual her design in providing for me. I hope she is satisfied that I did serve her faithfully when in her service and I am sure there is none more willing to lay themselves out for promoting her interest and service.

If your lordship be pleased to recommend Her Majesty to repone me to my former employments I make no doubt of your good success. I am very sensible of your friendship to me upon all occasions and should be proud to be owned amongst the number of your servants.

Earl Eglinton to the Earl of Oxford.

1713, May 19.—When I do myself the honour to wait upon you its always in such a crowd that I have presumed rather to trouble your lordship thus and thereby intreat you would be pleased to order the payment of the 500*l.* was due me before the Union. To be plain with your lordship I so much relied upon your promise when I left London last year, and what the earl of Mar said he had in commission to tell me from your lordship when he came to Scotland that I made no doubt of my payment so soon as I came here, and as I know it's only the hurry of most important business has hindered your lordship so I must put you in mind that it's now four months since I came from home and more as three since I came hither. This makes me importune that you would either be pleased to cause pay me or acquaint me to provide myself from Scotland, for it's impossible to live without money here.

I shall have occasion to see your lordship this day in the House of Lords, at which time I humbly intreat your answer that thereby in time coming your lordship may in this matter have no further trouble from your lordship's most faithful and most humble servant.

Holograph.

The Same to the Same.

1713, May 25. London.—When I waited upon your Lordship Friday last, you were pleased to tell me that next day you would order the payment of my 500*l.* but having heard nothing of it I judged it might have escaped your memory. I have presumed therefore to send this while your Lordship is in the Treasury, being persuaded my not addressing you seasonably has been the only stop of my payment, which I hope your Lordship after so long delay will give warrant for, and your Lordship shall receive no further trouble.

Lord ELIBANK to [the EARL of OXFORD.]

1713, May 21. Balencrieffe.—I am sorry to acquaint your Lordship that yesternight the Marquess of Twedale died, by which means the sheriff's place in this shire is vacant; I need not trouble your Lordship with my inclination and zeal to serve the present ministry, which I must say is not to be found very much in this shire, so if your Lordship will be pleased to do me that favour (which I know is entirely in your lordship's power) to procure me Her Majesty's commission for being sheriff of this shire, I shall always reckon it an infinite obligation.

[DAVID CARNEGY] EARL of NORTHESK to the EARL of OXFORD.

[1713], May 21. London.—Your Lordship was pleased to tell me you would the beginning of this week put an end to what I have been obliged, cross to my inclination, very often to speak and write to you of. The long delay of it has indeed been of great inconvenience to me which makes me hope you will give your orders now anent it in the way I mentioned lately.

[1713], June 27. London. I presume the Parliament is now drawing near a close and however uneasy my attendance has hitherto been 'twill be much more so to me after; wherefore I hope your lordship will let me know when I may wait on you to receive your commands, if you have any here for me before I go; or in my own country when I return to it. The sooner you are pleased to do it the greater the obligation will be.

[1713], July 3.—I cannot but be sensible of your having many things of moment to do towards the close of the session therefore I hope you will believe that I would not give you so frequent trouble did not my affairs necessarily oblige me to go hence in few days. Your lordship told me the other day you had laid a paper relating to me before the Queen. I entreat you to put her again in mind of it and my demand being for no new thing I hope it will be the more easily obtained.

[1713], August 1. London.—It is with great unwillingness I give your lordship this trouble but my private affairs having suffered extremely by my long stay here I hope you will excuse it, and presuming you will be going out of town to-morrow, if you would allow me the bearer to wait on you before you go you would very much oblige your most obedient servant.

[1713], August 22. Edinburgh.—I expected before coming from London your Lordship would have fully satisfied what you told me last year the Queen had been pleased to order for me; but when I saw you last, having given me ground to think you would make that effectual to me when the earl of Mar comes to Scotland, as well as what else I have been named to, I have given this trouble to put you in mind of it. When in anything your Lordship thinks I'm capable to do any service to the Queen or your own particular interest, if you will honour me with your commands they shall with great pleasure be obeyed.

1713, October 8. Edinburgh.—I know the earl of Mar has this night writ to your lordship an account of the election of the Peers; they are believed to be agreeable to the Queen and I hope shall be found zealous for her service and faithful promoters of the good of their country. I understand by a postscript of a letter from your lordship to the earl of Mar and by what my Lord Balmerino tells me that you have given a warrant for paying here the bygone salaries of the Commissioners of Trade. I'm at a loss not knowing to whom you have been pleased to direct it; and if at the same time your lordship will give orders for clearing what I further expected you will in a distinguishing manner oblige me, having at this time particular occasion for it.

Docketed by Oxford. Received October 16.

1713, November. London.—My stay now entirely depending upon knowing the Queen's pleasure as to what you told me you had laid before her and my absence from a lawsuit I have at present being very much to my loss, I must ask your pardon for putting you to this trouble to entreat you may put her in mind again of my concern. I hope what I ask is so just that I shall have your countenance; and the putting an end soon to it will add to what further favour you shew to your most humble and most obedient servant.

1713, December 10. Edinburgh.—I had ane account from the earl of Mar that the Queen had been pleased to name me one in the Commission of Chamberlainry for Scotland. I beg leave not only to return your lordship thanks for your friendship in it but to entreat you would further honour me so much as to shew the Queen that I will always gratefully acknowledge any mark of favour her Majesty puts on me; and as I shall give proof of it by my zeal for her service so I shall on all occasions shew my being with great sincerity and respect your most humble and most obedient servant.

1713-14. February 23. Ethie.—The reason of your being so long of hearing from me is that I had not the honour to receive your letter until last night. I'm sorry any error should have been in my former proxy but I have this day signed ane other and sent it to Lord Justice Clerk, which I hope is right. I shall not trouble you with my thoughts about the commission you mention nor with anything else till I wait upon you which shall be how soon I dare venture on such a journey. I shall then shew my readiness to serve the Queen.

[1714], June 25.—Did not the particular concerns of my family require my being in Scotland I should not have given you this trouble so soon after what I did lately. I must entreat your lordship would take the first opportunity to lay before the Queen what I represented in my last and let me know her pleasure. One thing I mentioned your lordship, having had her allowance for a great while ago, I presume you can order without giving her any new trouble about it. *Signed.*

Endorsed by Oxford. June 25, 1714. Received June 26.

[DAVID] EARL of WEMYSS to [the EARL of OXFORD.]

1713, June 1. Weems.—My Lord. Your late protection when my salary was questioned in the House of Commons demands so much my acknowledgments that I could not longer defer returning most hearty thanks, the more heightened as by my absence your favour in this was the greater. My dutiful ties to the Queen's service ever were and shall be of that firmness as I need not trouble your Lordship with repetitions of them here ; and my affections for your interest shall always be made appear with what duty and highest esteem I am capable of.

LORD DUFFUS to the EARL of OXFORD.

1713, June 3. [H.M.S.] *Advice* in Cromarty Harbour. Having had permission before now to trouble your lordship with a few lines, I cannot omit to congratulate you on having at last overcome the too powerful but (I bless God) disappointed designs of the Queen's and your enemies by a happy peace, which I pray may be as lasting as it is glorious for your lordship. Even if not bound by the strictest rules of gratitude, the sense of my duty will always oblige me to employ my hearty though weak endeavours to serve so good a Queen and so faithful a minister. I have been sounding the inclinations of my relations and friends in this country anent the next elections and if agreeable to your lordship doubt not to be able to give you satisfaction therein. I will not take up your time with ane account of the particulars but I have writ fully to Lord Marr who will no doubt take an opportunity to receive your lordship's commands to this purpose.

I will only add that after your repeated assurances I am fully satisfied your lordship cannot neglect the miserable circumstances of my wife and family at London. *Holograph.* 2*pp.*

Docketed by Oxford. Received June 22.

Carlotta, Lady Duffus, to [the Earl of Oxford.]

[1713], June 14. London.—I have no inclination to give unnecessary trouble but you know very well that except what you was pleased to send me two months ago I have had nothing to subsist my family ever since my Lord Duffus went away. If the sufferings of a stranger in my circumstances can move your Lordship's regard as mine very much claim it, none shall endeavour to deserve it more than, etc.

The Earl of Forfar to the Earl of Oxford.

[1713 ?], June 6.—Hopes his lordship will pardon the liberty he takes in enclosing copy of a memorial presented by him to the queen last week which she not only received very graciously but told him he might soon expect a favourable answer. Most earnestly begs his lordship to remind her so that he may go to Scotland where the pressing necessities of his family require him to be.

Hopes he may flatter himself with the expectation of his lordship's protection at this time since it will enable him not only to be an useful servant to Her Majesty but likewise to have it in his power to shew the gratitude due to his Lordship for saving him and his family from utter ruin which must unavoidably happen if his request be not granted. Begs he may know when he may expect an answer.

The Same to the Same.

Thursday. By what his Lordship said to him yesterday he conceives that he misunderstood what was the request he made to the Queen, which she assured him should be granted. It was that such part of the arrear should now be paid as should enable him to pay his most pressing debts, so that he might go to Flanders; and that his pretensions should be considered at a more convenient time. Hopes his long attendance might merit a positive answer which he will reckon the greatest favour in the world. *Without date.*

P.S.—He will have the honour to-morrow to ask his lordship's commands for Flanders.

The Earl of Kincardine to [the Earl of Oxford.]

[1713], July 7. Edinburgh.—I have hitherto avoided giving trouble in my own concerns. My son has been attending these three years for that purpose and I have been somewhat easy since he wrote to me that he was restored to a little office he had formerly of commissary of musters; but I find by his last letters that the establishment of this post (which was 20*s.* a day when in the hands of an inferior person who had no claim to the Queen's favour) is like to be abridged, by which that office which at best was very laborious and expensive will not be worth a gentleman's acceptance and far less such a recompence to me and my family as I humbly think I had reason to expect from the circumstances of my claims and her Majesty's repeated assurances. I was indeed from the beginning against my son's insisting for it. My family has ever since the Restoration enjoyed a pension of 500[*l.*] a year and I believe the Queen thinks I have done nothing to lessen the merits of it. I shall not trouble you with particulars of my claim, the Queen knows them and I have transmitted a memorial of them to the Earl of Mar who (I hope) will take the trouble to lay it before your lordship, and, when I consider how cheerfully the Queen has owned my good services and how often she has to myself repeated her assurances to do somewhat considerable for me, I am persuaded you will find it very easy to obtain from her the settling of that pension upon my family. I am unwilling to trouble the Queen with any new address upon this head. I shall be desirous to own the honour of this to your lordship, whose fidelity and diligence at this uneasy juncture may justly claim the esteem of all good men.

Docketed by Oxford. Earl Kincarden. Received July 20. His son.

Enclosure. [*Memorandum.*] The Earl does not pretend to demand of my Lord Treasurer the 1536*l.* owing to him by decree of Parliament: he only mentions it in this memorial to shew him that this money has been so long advanced to the government that the interest equals the principal and whatever fate the principal may have upon the Equivalent there is no provision made for the interest. Hopes this will serve among his and his son's other hardships and services as a motive to his lordship to dispose the Queen to restore his son to the post taken from him. [1713.]

The EARL of BREADALBANE to [the EARL of OXFORD.]

1713, July 20. Edinburgh.—Since it appears to be the best service at present we that are here at this distance can do, is to use our best endeavours for returning a nomination of peers to the ensuing Parliament who may be most forward to serve her Majesty, I have sent the bearer with a list of peers concerted with such of the nobility here who are most capable to judge and well affected to her service in this juncture that your lordship may give your sentiments thereof lest there be any variance or discrepance in the choice to be made. In any other thing that may occur to be spoken of in relation to her Majesty's service the bearer is entirely to be trusted.

The SAME to the SAME.

1713, July 20. Edinburgh.—Knowing how much your Lordship is inclined to oblige the Highlanders for her Majesty's service I have presumed to transmit by this gentleman my thoughts of a scheme to answer your design in that affair. Your lordship may be confident of this gentleman's fidelity whereof I have had many years experience being my kinsman and relation.

The Earl of Eglinton to [the Earl of Oxford.]

1713, July 21.—Soho Square.—I am extremely glad to hear your Lordship's in the way of recovery for I have taken the boldness to address your Lordship by this that I may acquaint you that the condition of my wife's health requires me to make all the haste for Scotland I possibly can. I thought to have taken journey on Monday but the earnest desire I had to speak with your Lordship made me put it off till Thursday. If I cannot wait on your lordship betwixt [now] and that time, I must entreat you to send me down your commands to Scotland and they shall be punctually obeyed.

1713, July 29. Soho Square.—I was to have waited on your lordship this morning and I am told, though your health will not allow you to be disturbed by a crowd, yet your lordship sees those who have particular business. This has made me presume to ask that I may be allowed to wait upon you for the circumstances of my family press me to be gone and I want only to receive your commands. By your lordship's desire I have been here more as six months. I shall not take up a quarter of an hour of your time, which I hope you will not grudge me.

The Earl of Leven to [the Earl of Oxford.]

[1713], July 25.—I most humbly beg pardon for presuming to give this trouble again but my creditors presses me so hard that I am necessitat to do it, for since I wrote last to your lordship I have got several letters from my agent at Edinburgh acquainting me that the Duchess of Monmouth's "doers" there told him that they had got positive orders from her Grace to do diligence on my bond if the money due by me was not paid precisely the second of August, being the term day. Your lordship being indisposed made me desire the earl of Mar to represent the strait I was in to Her Majesty and he informed me that she was pleased to say that she would recommend my memorial to your lordship and therefore I most earnestly intreat that your lordship will consider my circumstances that so I may not be affronted by the Duchess of Monmouth and several other of my creditors who threaten to do diligence against me also. I have but eight days now to that term and if any such rigorous proceedings should be done upon my estate I am entirely ruined.

Docketed by Oxford. E. Leven, July 29, 1713.
His affair was on end before this letter.

The Earl of Glenorchy to [the Earl of Oxford.]

1713, August 6.—I must beg that your Lordship please to appoint me a time to wait on you to receive your commands to Scotland; I think of going Monday next.

The Earl of Hyndford to [the Earl of Oxford.]

1713, August 7. London.—I am waiting here according to your order but the circumstances of my family require my going away and therefore I humbly beg to know wherein I can serve your Lordship and to receive your commands for Scotland. I hope your lordship has given an order of remittance to our barons of exchequer upon the petition of Mistress Douglas my cousin which I gave your lordship : and by your advice I gave Her Majesty one, which she was pleased to grant. And for myself I depend upon your promises you was pleased to give me.

The Earl of Lothian to [the Earl of Oxford.]

1713, August 13.—Since the last time I saw you you were pleased to say you would order me a time to wait on you, I beg it may be soon for all I want now is to have that affair of my regiment put to an end, and receive your commands how I am to act in our ensuing elections for, where I am out at Her Majesty's immediate service, the Queen and your Lordship shall ever find me to be a faithful subject and servant.

The Earl of Loudoun to [the Earl of Oxford.]

[1713], August 25.—I would be glad to wait on you to-morrow at your house at any time that is most convenient for you.

The Earl of Lothian to [the Earl of Oxford.]

1713, September 9.—I beg your Lordship will appoint me a time to wait on you for before I know the Queen's and your mind as to our elections I am altogether in the dark.

Lord Balmerino to [the Earl of Oxford.]

1713, September 21.—If I had had the honour to see you, I did not intend to ask anything far less to be importunate. I only waited these two months for the honour of your commands. I know very well that whatever is fit to be done you will always do it in good time. I have nothing more to detain me here so I am just going for Scotland where I will endeavour to advance the Queen's service what I am able and I hope things shall succeed well now that you have put our business in so good hands.

The Earl of Findlater to [the Earl of Oxford.]

1713, September 22. Bugden.—I do with the greatest gratitude acknowledge the honour and obligation of your

Lordship's which I received at this place. I shall esteem it my happiness if in this post you have procured for me I can be able to do the Queen any service and I shall be most obedient to your commands. The protection and assistance you have given us gives me great hopes of success in the election of the Peers, if those who are yet at London come in time. What you write you have ordered for Mr. Reid and Mr. Abercrombie, I take as a particular obligation: they will serve with great fidelity. I can desire no more concerning my pension than you promise. I shall acquaint you how I find matters at Edinburgh. The election of the Commons will be past before we come there. In all things I shall endeavour to deserve your trust.

LORD BALMERINO to [the EARL of OXFORD.]

1713, October 8. Edinburgh.—Will not trouble him with an account of their election this day because he will have it much better from Earl Mar. His lordship was pleased to write to him ere he went from London that he had sent an order to Scotland to pay the salaries of the Council of Trade. Eglinton, Northesk and he have been enquiring about it, but cannot find anybody to whom it is directed. Please let him know this.

[VISCOUNT] FALKLAND to [the EARL of OXFORD.]

1713, September 25.—I was this day to wait on your lordship, but was so unfortunate as to come one moment too late, to acquaint you I have sent my proxie to Scotland to Lord Mar, blank, fearing Lord Roseberrie might already have two proxies by which mine might be useless, and in that case have directed it to Lord Orkney or Lord Dunmore or to whom Lord Mar should think convenient. I entirely depend on your lordship's late promise of ordering me the 300*l*. due on my pension before your lordship goes to Windsor. I have hitherto found your Lordship an entire observer of your promise and doubt not but you will be so kind as to give this order which will be so far beneficial to me as to enable me to pay my creditors who daily teare me for money which I can procure from none (as not due) but from your Lordship.

The EARL of BREADALBANE to Sir JOHN MACLEAN, at London.

[1713], October 8. Edinburgh.—I received yours which I hope to answer verbally by your coming down with Captain Ogilvie and the sooner the better after you have received my Lord Treasurer's commands. Adieu.

[WALTER OGILVIE], Lord DESKFORD to [the EARL of OXFORD.]

1713, October 27. Edinburgh.—Dr. Arbuthnot will deliver the memorial your Lordship has allowed me to send concerning my governor Mr. Blake. I dare venture to recommend him as a man of entire honesty and sufficient knowledge and capacity for discharging the duty of such a post as he desires. If your lordship will take the first opportunity of providing him it will be a very singular favour to me who am obliged to be concerned for him because of the great care he took of me when a child. I have a very grateful sense of your lordship's friendship to my father; and of the happiness of the country under your administration. None has a more sincere esteem for you.

M[ARY] Countess of DALHOUSIE to [the EARL of OXFORD.]

[1713 ?], October 29.—I must earnestly desire your lordship will do me the favour to order me what is due of my pension at Michaelmas last, and my son Bellenden is in great want of his. I should not be so troublesome if my circumstances did not force me.

Friday.—When I waited on your lordship and gave you my son Bellenden's memorial as the queen commanded me, I was loth to trouble you with my own—to beg the favour that my warrant which was granted Michaelmas last for 200*l.* may now be paid me, being three quarters due at Midsummer: [after] waiting so long for it, it would be very serviceable, and wanting it extremely. The character your lordship has in everything that is good and the allowance you gave me to write will I hope plead my excuse for this trouble. *Not dated.*

EARL FINDLATER to [the EARL of OXFORD.]

1713, November 3. Edinburgh.—I have written twice to your lordship since I came to this place which I hope have come safe to your hand. This is only to acquaint you that this day I presented my commission as Chancellor in the Court of Session, which was read and recorded, and then did qualify by taking the oaths and was received with unanimity and satisfaction by the judges so that Her Majesty's prerogative in this matter is again solemnly acknowledged by this judicature. I intreat that you acquaint the Queen with it. Mr. Murray and Sir Alexander Cuming set out the morrow for London, the last has carried his election by a small majority in Aberdeenshire against Mr. Reid, the town and the two colleges there having assumed several votes for freeholds which they have acquired, which were given for Sir Alexander. The Earl of Mar goes from this place very soon; in his absence I shall be ready to receive and obey your commands being resolved to continue here till acquainted by you with the time of the meeting of Parliament and that you think my being at London necessary.

[1713 ?].—I want an opportunity of communicating some things in which your direction is necessary. If you could appoint me either at your own house or your apartment at St. James's I should take up very little of your time. *Without date.*

[1713 ?].—I have been with my Lord Chancellor and I have spoke fully with him concerning my affair. I have also despatched my private affairs in order to my journey: all I now want is to have the honour to wait of your Lordship and to have your commands in some things that concern Her Majesty's affairs. I have also some things to represent that concern myself. I therefore intreat that you would appoint me some time this morning. *Without date.*

[1713 ?].—Your Lordship having told me that you intend to go to Windsor to-morrow where I doubt not the affairs of Scotland will be determined, I humbly intreat that you may be pleased to allow me to wait of you some time this day or to-morrow morning for as yet I have had no opportunity of speaking to you of these matters or of what concerns myself and in everything I shall act with the greatest submission to the Queen's commands and with the greatest duty and fidelity to your Lordship. *Without date.*

[1713-14.], January 24.—I have, in obedience to your Lordship's commands, written the enclosed letters to be despatched in the packet you resolved to send. I doubt not but that you will take the trouble to write to the Duke of Atholl yourself; and you know why I do not write to the Earl of Home and Lord Blantyre. Baron Scrope was with me some time about what you was pleased to recommend and in everything I shall be most ready to obey your Lordship's commands.

[CHARLES], EARL HOME to [the EARL of OXFORD.]

1713, November 5.—It is with the greatest reluctance that I should be troublesome to your Lordship on any occasion but the present situation my affairs are in will I hope in some measure plead my excuse.

My affairs at home are very pressing for my return, having three lawsuits on which the welfare of my family depends, and what straitens me more is that my wife is within five weeks of her time and I am afraid of her falling ill on the road.

As I have in time past had the honour of your countenance and favour, so I must still beg the continuance of it and it never shall be in the power of any faction to make me act a part that shall give the Queen or your Lordship reason to repent of what favours have been bestowed upon me. My having a family in town is very expensive and has obliged me to run into debt but if your lordship will be so good as to procure me 500*l.*, it would go a great way to make me easy in this place. I shall not pretend any merit in what services I have done the Queen but I hope your lordship will consider the sufferings of my family.

Friday, 1 at night.—Being to go for Scotland on Wednesday next I thought it my duty to acquaint your lordship with it, that I might receive your commands if you had any for me. Perhaps your lordship will think very strange of the sudden resolution I have taken, but if I had an opportunity to inform your lordship of the necessity and pressing occasion for it I do not doubt you would very easily excuse me.

Ever since I came to any knowledge of the world it has been my ambition to serve my Queen and country. Nothing shall be wanting in me where I can serve her or her interest.

Ann [Countess] Home to the Earl of Oxford.

1713, November 11. London.—Your great, good, and just, character makes me so bold as give your lordship the trouble of the following circumstances I am in.

First. I have but four weeks to look that my Lord I believe informed you of.

Next. The only servant I left the care of my children to was misfortunately 'drounded' last week makes me I know not which hand to turn me to; and with submission I beg pardon to tell your Lordship that my long stay here has exhausted the little money I had gathered together.

My lord was just major as he had the honour to be chosen one of the sixteen peers, therefore had not the time to regulate his affairs, so as to settle either to keep his family or what small thing I want, but came up here and not knowing the way of living here both spent his own money and what you were pleased to bestow upon him: not one farthing came to me but a trifle of sum clothes that is not worth the naming. And some time ago when you was to honour my lord with a visit but sent two notes with your servant, I know not how much it was, but I got only five guineas of it, he having so many necessary affairs of his own which I know nothing about. Therefore if your lordship will be so infinitely good as to assist me by the bearer whatever happen me in the road it will be more, a great deal more, nor I deserve only my circumstances requires some pity which I leave to you[r] wonted generosity to my family, and next to answer my other request, I beg for God's sake the concealment of this trouble and is with all sincerity your lordship's devoted humble servant Ann Home.

Endorsed by Oxford. Received Nov. 13.

The Earl of Leven to [the Earl of Oxford.]

1713, November 24. Balgonie.—The great affairs your Lordship was so much taken up about when I came from London having deprived me of the pleasure of having discourse with you before I came from thence makes me intreat you will have the goodness to pardon that I presume to put you in mind of the assurance you was pleased to give me when you wrote to me that the Queen was resolved to take care of me though she had seen fit to lay me aside from the employments I had formerly the honour to bear: in which I did cheerfully acquiesce as I shall ever reckon it my duty to do in all things I shall understand to be Her Majesty's pleasure, looking on it my great happiness that as I had endeavoured on all occasions to do the best I was capable of to promote her service to find that Her Majesty was still intended to honour me with the continuance of her favour. Wherefore it would be a great satisfaction to me to know from your lordship what Her Majesty is pleased to do for me. I beg you will also allow me to mention the memorial I presented to you of some debts due to me when I was at London, a part of which Her Majesty was pleased to order to be paid to me, and I now intreat your good offices in representing this favourably to Her Majesty so as I may have the remaining part now paid me. Which could I at this time would do me a great kindness because my creditors are very hard upon me at present. I shall now conclude fearing I have already too far transgressed by taking up too much of your lordship's time in reading of this.

The EARL of FORFAR to the EARL of OXFORD.

1713-14, January 5. Tuesday.—Since I saw you at Windsor, Lord Cra[w]furd being dead, I venture now again to beg your lordship's assistance.

I am hopeful you will neither think it unreasonable nor immodest that I should desire the command of the troop in which I was bred up and served for many years, especially since it will satisfy all my pretensions which, your Lordship knows, Her Majesty has been pleased often to promise should be made good both as to my arrears and the continuance of my father's pension, besides that all the favours I have received have been laid out in the service; and over and above the purchasing a commission my equipage while in Flanders cost me 1,000*l*. Besides that the late bargain I made has met with so many unforeseen accidents to my prejudice that unless this or my other pretensions are made good, I shall inevitably be ruined. All these things, as well as that my regiment will probably satisfy any of my competitors, I hope will induce your lordship to patronize me, now that so fair an opportunity offers, that after a twelvemonth's attendance (to the great detriment of my other affairs) I may at last reap the benefit of the repeated assurances made to me in that time.

The EARL of LINLITHGOW to [the EARL of OXFORD.]

1713-14, January 13. Edinburgh.—I return you my most hearty thanks for your kind letter of the 6th. The peers were this day very unanimous in choosing me and I wish I may have occasion to shew how sincere a servant I am of my Lord Treasurer's and how dutiful and faithful a subject of the Queen. I hope to be so happy as be with you two or three days before the sitting of the Parliament.

[KENNETH SUTHERLAND], Lord DUFFUS to the EARL of OXFORD.

1713-14, January 25.—It is with very great unwillingness I am forced to be thus troublesome and though the necessities of my family are the greatest, yet I had, still with patience waited your Lordship's time were not my orders now positive, without the loss of a minute's time, to be gone. Therefore I cannot doubt but your Lordship will immediately order the payment of the arrears at least of my wife's pension without which it is impossible for my family to subsist or me to fit out for such a voyage. I beg leave also to put you in mind that when I went first to sea in the ship I now command you was pleased to order 100*l.* in respect I had lost all my equipage when taken prisoner. This was far from answering the design therefore [I] was obliged to make up of the other 100*l.* you designed for paying the Dunkirk bills rather than give you further trouble at that time and neglect your good intentions to me in going for Scotland where I was resolved to make all possible shifts to raise money to clear that debt. Accordingly, at my return I was ready to discharge it and told my Lord Mar (who was then just going for Scotland) I could not see your Lordship till I had done it. My Lord told me you had spoke to him of that matter and that you was pleased to say you would still order the payment of that Bill yourself. This your Lordship likewise told myself the next morning which made me apply what money I had to the discharging my other incumbrances so that that Bill remains as yet unpaid. I beg my Lord you will consider these my unlucky circumstances and allow me to wait on you to know your resolutions.

1713-14, February 4.—I am really to seek how to address myself on this occasion for the many proofs I have of your favour are sufficiently convincing I should not impose on so much goodness and I do assure you that no strait or difficulty that might relate to my own person could persuade me to importune you further at this time but my concern being the support of my poor wife and children and that they may not be too soon again troublesome to the Queen or your Lordship is what gives me hopes you will forgive the freedom of this and that you will allow me to lay before you my present circumstances.

I hope you believe I dare not acquaint you of anything that is not matter of fact; nor could any motive but my present state force me to tell that since I came last from Scotland I have been obliged to pledge the little sea equipage I had, nay even my very clothes, for bread to my family, all which lies this minute engaged. Therefore I most earnestly beg and most humbly entreat that since in April next there will be 400*l.* (all but the 30*l.* my wife had when I was in Scotland) due of the allowance Her Majesty is pleased to give, your Lordship will give directions I may receive the remainder at this time. By this I shall be enabled to fit myself out somewhat suitable to the character I bear in H.M. service and spare so much to my family as will support them for a time. And I do assure you that, if I have but the least good fortune in my intended voyage, I shall take care to remit a supply for the use of my family that they may not be any longer a burden, for as I have served hitherto, I hope, with some little character while honoured with Her Majesty's Commission so it is my greatest ambition to be able to give a demonstration that my best endeavours are an effect as much of my inclination and principle as of duty and gratitude. The ship I command being now ready and under sailing orders, whatever you determine be pleased to lay your commands on me.

Lord Deskford to [the Earl of Oxford.]

1714, March 13. Cullen.—I think it my duty to return my hearty thanks for the honour your Lordship was pleased to do my wife and me by taking notice of us in your letters to Lord Kinoul and my father. Nobody can have a greater esteem than I of your Lordship's many eminent good qualities which render you so useful and necessary to your queen and country, nor more earnestly wish all sort of prosperity to you and your family, and that we may long have the happiness of your being at the head of affairs. Were it in my power any way to serve Her Majesty I should reckon it my greatest happiness and your lordship may be assured that none could be more faithful to her government or your particular interest.

Docketed by Oxford. Received March 30.

Lord Balmerino to [the Earl of Oxford.]

1714, March 25.—My letters from Scotland yesternight tell me that Lord Bowhill's physicians think he cannot live many days. This obliges me humbly to recommend my eldest son to your favour which I do the more earnestly because I am told that Lord Bolinbroke is to recommend Mr. Carnegy. I do not blame that noble Lord for favouring his friend; but, if I have your Lordship's protection for my son, I shall not fear his enemies.

Viscount Falkland to the Earl of Oxford.

1714, Saturday, June 5.—I am obliged to quit my house in London the 23rd of this month and go into the country. I must pay my debts before I go having, on your Lordship's promise, engaged to satisfy them soon. I earnestly beg of you to order it me. Since Her Majesty has granted, it entirely depends on your lordship to give it; the having it now is of more consequence to me than double the sum hereafter. I therefore entreat your lordship, with all the earnestness imaginable, to grant this which will free you from my constant importunities and make me as happy as he wishes your lordship who subscribes himself, my lord, your most obedient, etc.

EARL FINDLATER to [the EARL of OXFORD.]

[1714], July 10.—The Parliament being over he can do no service here and therefore is most desirous to have the honour to wait on his lordship and know if in anything he may be capable to serve him for none is more willing to promote his lordship's interest. His lordship remembers he has frequently promised to pay him his arrears, it would be a favour he would always acknowledge with gratitude because he has relied upon it for defraying his expenses here and without it cannot prepare for his journey. If he could wait on his lordship to-morrow at his apartment at St. James's after chapel or at any place that may be most convenient it would be a very great obligation.

LORD BALMERINO to the EARL of OXFORD.

1714, July 11. London.—I must go to Scotland in a few days. I am very sensible of your favour and particularly that you have been pleased to order payment of a part of my salary lately; I beg to know if I may expect the remainder before I go.

[1714], July 23.—Since my affairs necessarily require my going to Scotland, I beg the honour of your commands. As for any business that concerns me here I leave it entirely to your disposal to do it when you think fit.

1714, August 27. London.—I do not forget my obligations to your Lordship and I can easily forget any hardship or unkindness I met with. I beg to know how it came to pass that when Northesk and Haddo their warrants were signed mine was not. It will be some satisfaction to know this for I do know that the good Queen thought she had signed it.

1714, September 4. London.—The Earl of Findlater tells me the reason my warrant was not signed was that the clerks told your lordship that nobody had got above 1000*l*. on account of the Commission in Scotland. My Lord, on May 17, Northesk, Eglinton, and I, each got a warrant on Caver's in Scotland for 1,000*l*. which he paid on sight. I do not say that I know Northesk got money formerly. I have nothing to do with that. If he did, it did me no harm and I think he deserved more. Nor do I envy him that about 26 July last, your lordship gave him another warrant for 1,000*l.* (perhaps not on account of the Commission). I wish I had got one of the same tenour! I am glad Lord Haddo got a warrant; if I had been as wise as he I had been sitting at home as he did. If your lordship think fit by any note under your hand to say that the warrant that the Queen intended to give me for 1,000*l.* in July last was by mistake not presented to her, it is possible the Duke of Shrewsbury may yet supply it though indeed I have no great expectation that his Grace will trouble himself about me. Pardon this long letter.

P.S.—I was twice calling at your lordship's house.

1714, September 6.—Renews his petition for the warrant which he should have had in July. Is sure somebody must have misrepresented him or he would have had his warrant as well as other folks.

[1714 ?]—I beg leave to recommend to your favour a poor widow Mrs. Main who is a very virtuous person and deserves the Queen's Bounty. Her husband was an Episcopal minister. I beg you will order B[aron] Scroop to recommend her to the Barons of Exchequer to list her for 20*l.* She has a daughter to maintain. I never did trouble your Lordship on this kind before and I know they have a good fund to pay it by the death of several persons.

I am sorry that what I told in Parliament is come to pass. The Malt Tax instead of being an advantage to the Queen is the occasion of her losing in the Excise.

SCOTLAND—(*continued*).

1710, July 7.—Advocate's opinion concerning the Patronage Acts.

In lieu of the right of presenting to Kirks taken away by the Act 1 William and Mary, cap. 23, the heretours and liferenters of each parish are ordained to pay 600 marks to the patron upon his granting a sufficient renunciation of his right. As to those parishes which their Majesties had right to present to; upon payment of the 600 marks to the clerks of the Treasury their Majesties should be fully denuded of their right.

Question one. Whether anything has been done pursuant to this Act as to those parishes the Crown had right to present to.

Answer. There has been nothing done (by any information I have) pursuant to the Act, only the patron's right of presentation to vacant benefices is set aside, which has taken place against the Crown as well as the subject.

Question two. Should the crown think fit to insist on the 600 marks what would be the consequence thereof as to the right of patronage ?

Answer. Scarce any subject patron that I know has thought fit to insist on the 600 marks lest the taking payment of that sum may prejudge them if they should seek redress in Parliament of the Act whereby they are deprived of the right of presentation. And I think it for the same reason advisable the Crown should not insist on the 600 marks, for it is against equity that any party having acquiesced in any right and accepts a price should seek redress, besides the sum will amount to very little that can issue from the whole. David Dalrymple. *Copy.*

Rental of Scotch Bishoprics.

1710.	St. Andrews. Total of Money ... Of victual; White 188, Bear 421, Oats 652, Small oats 315, Maill 59, in all 1642 bolls, besides the Teind yard 210 bolls.	5976*l*. 11*s*. 11*d*.
	Edinburgh. Of money ... ... And of White 34 bolls, Bear 497, Oats 95, Meal 43.	4983*l*.
	Galloway	6260*l*.
	Dumblane, except the deanery or the Chapel Royal	547*l*.
	Dunkeld. Money ... ... Bear 86 bolls and meall 172.	1662*l*.
	Brechin. Money and customs ... ... Bear 112 bolls, Meall 162 bolls, Horse corn 8 bolls.	1202*l*.

Aberdeen. Money.	3186*l.*
Bear 10 bolls, Malt 5 bolls, Meal 10 bolls, Oats 39 bolls.	
Moray. Moneys	1858*l.*
Victual 105 bolls.	
Caithness. Money	1481*l.*
Victual 207 bolls.	

Endorsed. 1710.

A Memorial to the Honble. Mr. Harley in favour of the Bishops and other suffering Clergy in Scotland.

The clergy of the episcopal persuasion in Scotland being reduced to the greatest extremity by a continued suffering of more than twenty years nothing can be more just in itself or more acceptable to Scots men than to find out some regular means for their subsistence. In order to this it is proposed that those of the bishops' rents which are not disposed of may be applied that way. To make these rents more effectual it is with all submission offered :—

1. That the commission to Pitmedin (a gentleman of no great interest in Scotland) for uplifting the said rents be superseded and all others having factories from him.
2. That there be a commission of enquiry into these revenues.
3. That a full account of grants in this and the preceding reign be fairly stated that it may be known not only what the government has to dispose of but what mismanagement there has been, which is commonly believed to have been very gross.

Such enquiry should be timeously entered upon because the Earl of Cromartie has or is to make an address to the Queen that she may dispose a share of these rents to establish a meeting-house in the canonry of Ross for the English service which may give offence to the presbyterians, whereas applying them to relief of men in distress can offend no one.

Endorsed by Harley. Received from Ld. K., Feb. 17, 1710-11.

Memorandum of William Borrett [solicitor to the Treasury] of the payment to Mr. Counter of 73*l.* 15*s.* on account of a weekly payment of 25*s.* by warrant of her Majesty as her charity in support of him and his family whilst he continues a prisoner.

Oxford's endorsement. Money paid to Counter.

Received Feb. 28, 1710-11.

Synod of Drumfries to Robert Harley.

1711, April 13. Drumfries.—Praying him to use his best interest to hinder the introduction of patronages or other innovations among them, for which they are informed several members of Parliament make all the efforts in their power, though it could not miss to throw North Britain into terrible convulsions as the reduction of a grievance under which they and their ancestors groaned so bitterly until delivered by 2 William and Mary, Oct. 23. *Signed* J. Hill, moderator.

1711, May 12. Edinburgh.—The General Assembly did by an unanimous vote and hereby do recommend to all the ministers of this Church that in their public prayers after praying for Her Majesty Queen Anne they do expressly mention the Princess Sophia, Electress and Duchess Dowager of Hanover, and the Protestant line in that family, upon whom the succession to the Crown of these Dominions is by law established, or that they pray in such terms as their congregations may understand that they mean the Princess Sophia and the heirs of her body, being protestants.

National Assembly of the CHURCH of SCOTLAND to the QUEEN.

1711, May 12. Edinburgh.—Her gracious letter was received with all the duty and thankfulness becoming loyal subjects sensible of the great happiness they enjoy under the government of so good, just, and wise, a sovereign.

Her renewed assurances that she will protect them in possession of their rights and privileges as established by law make them easy amidst all the vain confidences of those among them who separate from their communion, to whom their advantages under her just and gracious administration are an eyesore, and shall oblige them to carry themselves so as she may ever have reason to continue more and more satisfied with their conduct.

It is their grief that Her Majesty's zeal for promoting piety, suppressing immorality and profaneness, and bearing down atheism, popish idolatry, and superstition, hath not attained the success which they are assured she doth earnestly desire, and they heartily wish for; But when she is not discouraged from renewing her injunctions as to this important affair, they will be inexcusable if they do not second her pious inclinations with their utmost endeavours.

The planting of vacant churches with pious and learned ministers hath always been their serious endeavour but they cannot conceal that in some places they meet with too open and designed opposition. They are resolved, however, how inhuman soever these insults be, they shall not discourage them; not doubting that her Majesty's support will give an effectual effect to such as openly contemn her laws and have so little regard to the public peace.

Her choice of the Marquess of Annandale to represent her in this assembly is most acceptable to them.

They pray that she may long be preserved for the protection and comfort of the protestant churches, the security of the liberties of Europe, and defeating all the hopes adversaries may have of imposing a popish successor upon her dominions and that the succession to the throne after Her Majesty and the heirs of her body in the Protestant line of the illustrious family of Hanover by law established may be firm and sure.

Signed in the presence and name of the ministers and elders met in this national assembly and at their appointment, William Carstares.

THOMAS CRAVIE.

Edinburgh, July 1, 1695.—Deprivation of Mr. Thomas Cravie, a minister at Aberdeen. Extracted out of the records of Parliament by James Murray, clerk register.

Endorsed by Oxford. Copie.

Proceedings against Mr. Thomas Cravi, a minister at Aberdeen 1 July, 1695.

Received from Mr. Blackwal, May 28, 1711, in his letter dated May 22.

——— to ———

1711, March 30. Drum.—Honoured Sir. The information you give your good friends here is very pleasing and this comes to return you hearty thanks. Mr. Greensh[ield's] affair hath been pitifully neglected first and last—yea! perhaps mismanaged in the beginning of that process, yet the decision in his favour hath given us much uneasiness, put our people into a great fermentation, jealousy of the Government, and contempt of our clergy, and in a word fears that the whole fabric of our constitution is about to fall down. The late General Fast hath been slighted by many with too much contempt, and, if God do not prevent it in his infinite mercy, the wicked, designing men that are amongst us will make our people bring destruction upon us with their own hands for they are reckless in their suggestions to an unthinking, disgusted, multitude. First, the Union, then the change of the Ministry, and then Dr. Sachev[erel]'s great parade through England, and now Greensh[ield's] business hath put them into an extreme bad temper. God help it! There are many sorts of people amongst us—papists, nonjuring episcop[alians] who will not hear our ministers, Jacobites all over, moderate episcop[alians] who will and do hear: on the other side we have McMillanites who own no Government, civil or ecclesiast[ical] and keep private corresponding meetings or societies: these are bitter railers and revilers and our mighty highfliers but they are few. Then Hepburnians are next to them, who own the queen's government but refuse church communion, adhering only to Mr. Hepburn who acts independently, then the greatest share of all such as join in church communion or the people that hear our ministers. I thought it proper to give you this account that you may know the state of our country and be able to answer for us upon any heads discoursed. Our ministers again are of two sorts, such as are more aged, calm, and moderate, others younger, more weak, illiterate and ill natured, fiery bigots, who keep the other, who are indeed the fewer, in great exercise of their patience. These, lastly, who are better born and of higher rank, they are generally all such as are now come up to Parliament (there you have a true swalch) much alike for morals though not so high in the politics as some are for present. The oath of allegiance, the greatest part of the ministers of the present establishment, I may say very few excepted, have taken it; and for the abjuration it was never imposed and though the last session of parliament did of set purpose explain or make it easy to us and our more thinking ministers could take it as so framed, yet I am confident the imposing of it at this time would split us in pieces (and the Jacobites who have taken it to serve their turn cry 'Put it through! Put it through!') and work our enemies design. Sir I can assure you the only way to manage our kirk is to let us alone to observe our own forms, methods, and customs, with imposition, innovation at the like and to treat us kind (and indeed the English rulers are more benign and gentle than our own countrymen) and then we shall live easy, oppose popery and French power with heart and hand, and carry dutifully to our queen, whom God long preserve! and those who are under her. Mr. Harley hath been, it seems, in much hazard of his life and it may be evident to the world he is the object of popish malice and rage, and though his character be strangely diversified by parties yet as for myself I can only think him a true protestant and friend to his country, and I know some who publicly thanked God for his preservation and pray daily for divine conduct to him in this reeling time. Some of us in these parts are very sensible of your care and concern for our welfare. May the Almighty bless you as an happy instrument in your station! and give you peace and satisfaction in doing your duty. If I had not esteemed this letter necessary, I should not have made it so prolix. While you are silent we will rest secure as to our kirk business. I hope we shall have our last commissioner or such another as himself to our General Assembly. I ask many pardons for this trouble and am always yours. You will shew this to none but friends of the government. *Unsigned.*

William Keith to Lord ———.

1711, July 1.—As all my hope and expectation of being at this time preferred to some public business is founded upon the Lord Treasurer alone, so it is from your friendship I can most naturally hope to be introduced to his lordship's favour.

It has been for some years my constant endeavour to behave with a dutiful respect to the Lord Treasurer's character and service ever since I first had the honour to be known to him and having the other day presumed to offer a short memorial pointing out one or two things for myself, I must beg your Lordship to inform the Lord Treasurer that I only meant thereby to be in his thoughts as a friend of your Lordship who waits any opportunity to answer the character given of him.

SIR JAMES ERSKINE to [the EARL OF OXFORD.]

1711, July 14. Edinburgh.—I must beg leave to trouble you concerning the office which the Queen through your Lordship's favour was pleased to put me in. The exchequer thinks fit to scruple the granting of precepts according to your dormant warrant for payment of the three clerks who officiated at the last circuit because they were named by the Justice Clerk and not immediately by the Queen and the reason given for it is that it is apprehended Her Majesty's intention was such. I would humbly think that if she had so intended it would have been so expressed in the privy seal, and I cannot find it there. According to the opinions of our lawyers who have written on these subjects and according to many Acts of Parliament, and as it plainly appears by the records of the Court of Justiciary, the Justice Clerk has the naming of the Clerks of Circuits and of clerks to all Courts of Justiciary in Scotland. Because I ought not to assert a thing without shewing authority for it and that requiring greater length than I dare trouble you with I have by this post written to Baron Scrope (to be laid before you if you find occasion for it) and endeavoured to make appear how this matter stands by the law and custom of Scotland and that the naming of such clerks is not merely a privilege of the Justice Clerk's office, but seems to be implied in the nature of it, the Justice Clerk being principal clerk of all courts of justiciary, and all other clerks to such courts being but his deputies. I gave a copy of what I send to Baron Scrope to the Lord Chief Baron but he still apprehended that he ought to write, I suppose to your Lordship, before he granted these precepts, though I thought he seemed to be pretty well satisfied, and what further objection he made I think I have answered. I would not trouble your Lordship about such a trifle as a year's salary to three pitiful clerks but since the scruple against paying of them must, if it take place, produce an innovation in the office, I thought it incumbent on me to lay before you, before any such thing be done, how I conceive the law and custom of Scotland stands and always has stood in that matter.

Docketed by Oxford. Received July 23. Clerk of Sessions in Scotland.

W. HANNAN to the LORD HIGH TREASURER.

1711, August 24.—I beg of your Lordship to pity my hard case, of which I made bold to acquaint you the 20th Instant, and how I am confined and barbarously used. The gaoler tells me that I must continue so until I deliver him a copy of all what I writ to your Lordship. Some offenders against the Queen and Government (least of being discovered) have contrived this malice and abuse towards me, as well as this indignity towards your Lordship, in attempting in this arbitrary manner, to discover what is intended for your Lordship's service.

I have and do still supply Captain Herbert with subsistence money, as your Lordship was pleased to order me, so I desire to know your pleasure for which my spouse, now bearer hereof, doth wait on you and to assure you that I shall ever manifest myself to be with profound respect, etc.

F. Manning to the Lord High Treasurer.

1711, August 28. Coire.—His late misfortune has hindered him from paying his duty and wishing His Lordship joy upon the honours and dignities her Majesty has with such applause of the public conferred upon him. Since it has pleased her Majesty to recall him from this station, intreats his Lordship will order him wherewithal to pay debts contracted here during the space of two years, in which time he has never received more than the first quarter of his ordinary allowance nor a penny of his extraordinary. It is necessary he should pay what he owes before he stirs from hence. The sooner his lordship shall disengage him from these barbarous mountains the sooner he will add new life to him who languishes after nothing so much unless it be the honour of throwing himself at his feet to beg his protection.

1711, September 3. London.—Anonymous letter to Lord [Oxford ?] complaining of usurpations by the Presbytery in Scotland in matters of Church government and discipline; and especially of their establishment of a new court called the Commission of the Kirk of Scotland which the writer holds to be unlawful. 4 *pp.*

James Murray to the Same.

1711, September 4.—Reminds him of the Duke of Atholl's recommendation of him for a tidewaiters place in the port of London; and that his petition is lodged with his lordship's clerk of petitions in the Treasury Office. There being now several such places vacant, begs one of them may be conferred on him.

Proposed Day of Humiliation.

1711, November 2. Edinburgh.—The commission of the General Assembly of the Church of Scotland considering the imminent danger this land is in of the desolating pestilence which rageth in several counties with which this nation hath frequent commerce, for preventing whereof Her Majesty hath exercised such a wise and tender care, and the bloody and expensive war wherein the nations are engaged, and in which the interests of religion and liberties of Europe are so much concerned. Considering also the abounding of iniquity of all sorts and the restless endeavours of Romish emissaries, the growth of popery, and the opposition made to the Gospel and enmity against the power of godliness by persons disaffected to the government of Church and State in several corners of the land: Do appoint a day to be religiously observed in all the congregations of this National Church for solemn humiliation, fasting, and prayer, that God would for Christ's sake pardon all our sins and turn away his wrath, prevent threatened judgments, particularly the dreadful pestilence, bless and preserve our Queen, direct her and her councils with respect to peace or war so as the issue may be to the Glory of God, the relief of the afflicted Churches of Christ, the honour of the Queen, the recovery of the liberties of Europe and the establishment of the Protestant Succession to the Crown in the illustrious House of Hanover.

The Commission beseech and obtest all persons to search and try their ways and by unfeigned repentance and reformation to turn to God, and that all ministers be explicit and particular in sins that abound where they serve.

Sir JAMES STEUART to the EARL of OXFORD.

1711, November 21. Edinburgh.—Recommending to his favour Sir Andrew Home the bearer, son to the Earl of Marchmont and one of the Commissioners of the Equivalent, now sent up with their accounts in obedience to the ordinance of the House of Peers.

Has adventured to give him this particular line because Home is truly ambitious of Oxford's favour and will be found deserving.

ALEXANDER MURRAY to the EARL of OXFORD.

1711, November 27. Edinburgh. Cannot find words sufficient to express his deep sense of the honour conferred on him by Her Majesty in naming him one in her Commission of Chamberlainry and the manner of doing it. Her royal pleasure was but yesterday communicated to him in a letter from Lord Dupplin, to whom he owes the happiness of being recommended to his Lordship, and he thought it his duty to return thanks immediately.

Ro[BERT] STEUART to [the LORD HIGH TREASURER.]

1711, December 3. Edinburgh.—I have been detained all this time here waiting Ochterlyre who came up on Saturday's night and after perusing his letters he wants the particular proportions that he is to pay every one. My Lord Kinnoul has sent you the proportions which I expect will be sent to Ochterlyre with a full warrant to pay the same and in the mean time I will go out and get the assurance from the Clans signed. I shall not trouble your Lordship more all this time hoping you will see everything right, and I shall use my utmost diligence. I am extremely concerned that Lord Kinnoul was not at Dupplinc to assist me with the Duke of Atholl yet I hope his Grace will be modest. Lord Kinnoul and Ochterlyre wrote so fully upon my affair that I need say no more.

Docketed. Steuart of Appin. Received Dec. 7, 1711.

——— to ———

1711, December 15. Edinburgh.—You have E. Marischall's proxy enclosed which I got not till yesterday. He writes to me that he has been ill but designs to be here in a few days. Everybody here was surprised at what passed in the House of Lords the first meeting. Lord Annandale speaking to me of his proxy and how you had twice called that morning for D. Hamilton and missed him (of which I saw an account in a letter from Kilsyth to Kilmaronock) said he wondered you sent it not to the D. the night before for his Grace writ to him that the express arrived that night. I told him that I had heard nothing of it, but, were it so, that you might as probably have been abroad at night as D. H. happened to be in the morning. Northesk having written to you I need not say much of him but he seems positive that he will not go up till he get a letter telling him that, notwithstanding the office he lately got, his past services shall be considered. I humbly think this is a very bad resolution for his own interest and have endeavoured to convince him of it but to no purpose hitherto. I understand by Haddo that a letter from you to this purpose would satisfy Northesk. I answered that Northesk was certainly convinced you would do for him what lay in your power and therefore I could not see why he should wait for such a letter from you, unless you were to write it by the Treasurer's order, I really wonder at this for Northesk seems as much persuaded as ever of your friendship for him. However, perhaps if you do write so and he be nevertheless disappointed, it may afterwards be laid at your door. I assure you Lord Treasurer's party seems not to be gaining ground here but rather the contrary. I must with all submission say he might help this with great ease if he would. Earl Strathmore is prodigiously angry that his commission is not yet come down. I lately saw a letter from him where he says that such treatment baffles him and exposes him to ridicule. E. Lithgow is no less angry for the same cause (as I am told), for he has not been here this long time that I have heard of. The Chief Baron shewed me a remit from my Lord Treasurer to him and his brethren to consider the memorial presented to the Treasurer last summer by my Lord Ilay concerning our accounting to these barons for the circuit money. I confess this to me seems very odd and it is pretty hard that when we remonstrate to the Lord Treasurer why we ought not to account to the barons he should remit the consideration of it to these very barons. Were we demanding anything in prejudice of that court it were indeed just to hear them, but in this case I cannot find out a reason for it and to say truth the chief baron himself seemed surprised at it since it is a thing that wholly depends upon the Queen's good pleasure and not at all a matter of law but rather belonging to government and police. From this instance it is probable that our last paper will likewise be remitted to the consideration of these our lords and masters. *Unsigned.*

——— to [the Lord Treasurer.]

[1711], December 24.—Mr. Beaumont having received the letters from Holland I made mention of to your Lordship, I have examined them all and found the enclosed the most material. It is written by one Charles le Bas, then a clerk in Mr. Bridges his office: he tells me all those transactions or the most part have been done by this le Blas: he liveth at present in Cecil Street.

This being the last day before the Holy Days I do not doubt but your Lordship will despatch Mr. Beaumont since you was pleased to promise [this] yesterday to his solicitor: and the obligation shall never be forgot by your most humble and most faithful servant. *Unsigned.*

Justices of the Peace, Aberdeen.

Memorial.—The present nomination of these within the said county is very unequal. In the upland where is little or no trade they are to be found in every corner but on the coast between Aberdeen and Fraserburgh, being the distance of 36 miles, there are but three, whereof two only attend and they are 20 miles distant the one from the other. There being several small seaport towns and villages upon the said part of that coast as well employed in trade as many in Scotland, such as the manufacture of great quantities of white and red fish that yield a very considerable drawback, exporting of corn to the Sound with a return of timber and tar from thence, also a considerable trade to Holland, great abuses are daily committed in the face of the sun by running wines, brandies and all sorts of spices to the great prejudice of Her Majesty's customs and excise, these being either "counterband" goods or such as pay very great duties. Also their cod and other fishing are most of them cured with small salt or a mixture thereof, yet notwithstanding they get the drawbacks upon the same fish.

The officers of excise are frequently insulted by the commons in their collections and exercise of that duty so that the Quarter Sessions are constantly full with complaints of that nature. To prevent which abominable and scandalous practices it is proposed that the following gentlemen, living upon that coast, be added to the present commission; Alexander Irvine of Crimond, Alexander Forbes of Ludwharne, James Keith of Crichie, Captain John Stewart, Alexander Ker of Menie, Alexander Hay of Rainestoun, William Keith, esquire. [1711.]

Docketed by Oxford. Memorial. Justices of Peace of Aberdeen.

[James Ogilvy] to [the Earl of Oxford.]

1711.—In obedience to his commands presumes to trouble him, which he had done much sooner if not diverted by the Earl of Findlater his father's sickness and death. All the Scots peers are in great concern for the issue of the Duke of Hamilton's patent. If it go against him it will be looked on as a sentence of incapacity upon all the noblemen of Scotland and their families, putting them in worse condition than all the other subjects, and that without any foundation in the Act of Union where nothing is treated of but the privilege of Scots peers by virtue of their Scots patents, but the Queen's prerogative of creating peers and the capacity of Scots peers receiving that privilege from the Crown stands entire and untouched. Is very hopeful his Lordship will be able to prevent so severe a decree against them which would produce very bad effects and make the Union very insupportable to the whole Scots nobility many of whom were the chief promoters of it.

There has been great prejudice done to this part of the Kingdom last year by the excessive importation of corn and cattle from Ireland. There is no defect in our laws for preventing of this, and they are reserved by the Union, but the failure is in the execution and I see no way to render them effectual but by giving encouragement to some person or persons who will undertake to find sufficient security to prevent the importation of corn, horse, and cattle, from that Kingdom, and the running of goods contrary to law upon the western coast, which, if effectual, would greatly improve the revenue for it is there that goods of the greatest value are run. It may be recommended to the barons of exchequer to receive proposals to this effect and doubtless persons will be found capable to perform this. It deserves consideration for by this illegal importation from Ireland money is exported and the prices of our corns much diminished. 14,000*l.* is given by the Act of Union for the encouragement of the manufacture of coarse wool. This remains in the hands of the commissioners of the Equivalent as yet undisposed of and can only be ordered by the barons of the exchequer under Oxford's direction. It would give great satisfaction if that sum were duly applied.

Is glad to find by the public accounts the negociations for peace are so far advanced. In the event of a happy conclusion, he would remind Oxford of their fishings, that the British subjects may have liberty of importing their fish into France and Spain at least upon equal terms with the Dutch.

Their linen manufactures are of great consequence, employing many of their poor people profitably. Many things might be suggested for the improvement of these but this no doubt will be represented to his Lordship fully by the members of parliament from this part. Encouragement for these would be very acceptable here.

ST. ANDREW'S COLLEGE.

[1711.]—Memorial of grounds why the designed settlement of Mr. Alexander Serunsour in the new college of St. Andrew's is unacceptable.

1. The Queen's presentation is understood to be made under the condition that he is qualified for the office. Although he has been admitted a Professor of Philosophy it does not follow that he is qualified to be a Professor of Theology.

2. Such professions have been usually filled with ordained ministers or such as after trial have been licensed to preach, there is but one instance to the contrary and that in the same college, Doctor Colvill's, but he was a graduate Doctor in Divinity and had been professor of divinity in Sedan in France, where he taught with great applause. Mr. Serunsour is not in Holy Orders nor was ever licensed to preach; neither does he pretend to have received the degrees necessary for that office.

3. In the admission of professors of divinity there is no comparative trial laid down as in the admission of other professors of arts and the qualification of a licensed preacher at least graduate in divinity is a prerequisite in the person presented. Mr. Serunsour being neither minister nor graduate and there being no evidence of his knowledge in order to teaching cannot be said to be under the qualifications which law, custom, and the very nature of the thing, require.

4. He has not subscribed the Confession of Faith before the presbytery of St. Andrews as required by the Act of Union.

COURTS OF SESSION and JUSTICIARY, and EXCHEQUER COURT of SCOTLAND.

Draft of a clause to be enacted in Parliament for removal of doubts as to providing for the expenses of keeping up the said Courts out of the duties of customs and excise. [1711.]

GENERAL ASSEMBLY of the CHURCH of SCOTLAND.

[1711]. MEMORIAL.—By the instructions from presbyteries to their Commissioners to the Assembly produced in a Committee of the Assembly appointed to receive them as the use is, it appears that the presbyteries do generally expect that the Assembly should take notice of the Acts of Parliament lately passed for Toleration, and Restoring the power of Presentation to Patrons, either by an Address or testimony against them. For the better management of which demand it is thought that if the Assembly shall pass an explicit Act approving and ratifying the proceedings of the Commission of the late General Assembly, specially their representations and petitions to her Majesty for relief of these grievances it may be satisfying to the whole Assembly and seeing these representations and petitions were made when the above-mentioned Acts of Parliament were only depending and not concluded, and that it is but just that the commission should be exonerated it is thought that the Assembly's declaring that the Commission had in these particulars acted faithfully and seasonably, it may be satisfying to all without interfering with the Acts of Parliament as now concluded and if this be agreed to, H.M. Commissioner expects the following instruction for his warrant.

Docketed. Instruction.

In case it be necessary for satisfying the Assembly you are allowed to suffer them to pass an act explicitly approving and ratifying the proceedings of the Commission of the late General Assembly, particularly by their representations and petitions offered to us for relief of their grievances in relation to the Bills of Toleration and Patronages, declaring that the Commission in these particulars acted faithfully and seasonably.

Petition to the Queen from the heritors and other inhabitants of the city of Aberdeen. Being thoroughly apprized of the great benefits that accompany the worship of the Church of England in the constant regular use of her excellent liturgy and what a special mean it is for promoting orthodoxy of faith and true solid devotion, and being earnestly desirous of so great a blessing for the more effectually establishing us and our children in the true Christian Faith and blameless pure worship of God under a Gospel ministry having an unquestionable mission and divine authority, we most humbly supplicate your protection in the public exercise of that divine worship and that the Reverend Mr. Dunbreck [a presbyter of the episcopal communion] canonically ordained, who is of good literature, sound principles, and peaceable behaviour, may be safe and undisturbed in administrating the offices of the sacred function according to the said liturgy among us. Subscribed by James Irvin of Drum, baron, and 80 others. [1711.]

Commission of the late General Assembly of the Church of Scotland to The Queen.

1712, February 7. Edinburgh.—The Church of Christ in Scotland being as we apprehend in hazard of sad alterations and innovations from a Bill entituled a Bill to prevent the disturbing of those of the Episcopal Communion in that part of Great Britain called Scotland in the exercise of their religious worship and in the use of the Liturgy of the Church of England and for repealing an Act of Parliament against irregular baptisms and marriages, we do in all duty and humility fly to your royal protection so often and so graciously assured to us both by your royal word and letters . . . .

When after the great and many hardships and vicissitudes wherewith the Church of Scotland had been tossed from its first reformation from popery, it pleased God by the late happy revolution to bless us with a full restitution and that by the Claim of Right and Acts of Parliament following, namely, the fifth of 1690 ratifying the Confession of Faith and settling Presbyterian Church government whereby Presbyterian Church government is established as the only government of Christ's Church in this Kingdom, annulling and making void all Acts of Parliament, statutes, and ordinances, in the contrary, declaring the general meeting and representatives of the Presbyterian ministers and elders in whose hands the exercise of the Church government is established to have power to try and purge out scandalous and erroneous ministers by due course of ecclesiastical process and censure and redress all other church disorders. By which Act it is evident that the ministers and elders of this Church have all the powers committed by our Lord and Master to his ministers and officers to watch over the flock and guard against usurpers and intruders.

Secondly. By the twenty-third Act of 1693 entituled an Act for settling the quiet and peace of the Church, whereby it is expressly statute and ordained that no person be admitted or continued a minister or preacher within this Church unless he first take and subscribe the oath of allegiance and assurance and subscribe the Confession of Faith as his faith, and acknowledges Presbyterian church government to be the only government of this church and further that he observe the uniformity of worship and of the administration of all public ordinances as at present performed and allowed within this church.

Thirdly. By the twenty-second Act of 1695 entituled an Act against intruding into Churches without legal call and admission, by which Act it is statuted and declared that whoever shall intrude themselves into any church or exercise any part of the ministerial function within any parish without an orderly call from the heritors and eldership and legal admission from the presbytery of the bounds, shall be removed and be incapable for the space mentioned in the Act.

Fourthly. By the third Act of 1702, entituled an Act for securing the true Protestant Religion and Presbyterian government.

By these and other Acts the Presbyterian Church Government is fully settled and secured, and has been submitted to ever since the Reformation and there is no doubt the same cheerful compliance would have been given ever since the late happy revolution but for the woeful seed of disaffection to the revolution and your Majesty's government as thereby established, which hath been the principal if not the only cause of the few prosecutions that occasion so loud and unjust a clamour.

That your Majesty may be further satisfied of the injustice of the calumnies against us, we lay before your Majesty this pregnant instance of our moderation. Since our late happy establishment hundreds of dissenting ministers have been taken in and continued upon the easiest terms.

This being our great and plenary security in law for our Church government, and we being in danger of alterations and innovations by the aforesaid Bill before the House of Commons wherein, besides the hard reflections contained in the preface, it is proposed to be enacted that Episcopal Dissenters shall have liberty to assemble for the exercise of Divine Worship in their own manner and use in their congregations the Liturgy of the Church of England without disturbance, and for qualifying such pastors episcopal orders and presenting letters of their orders to the justices of the peace shall be sufficient, and no person shall incur penalty for resorting to the episcopal meeting, and it shall be lawful to assemble for divine service without disturbance and settle their congregations where they think fit, and for episcopal ministers not only to pray and preach in these congregations but to administer the Sacraments and marry without incurring pain or penalty or without any *caveat* that appears for their doctrine save that they shall not in their preaching or writing deny the doctrine of the Blessed Trinity, and withal that the presbyterian clergy are still to be allowed to inflict ecclesiastical censures on those of their own communion, which imports an exemption of all who disown their communion, we cannot but express our surprise and deep affliction to hear of such a Bill offered for such a large and almost boundless toleration, not only threatening the overthrow of this church but giving large licence almost to all errors and blasphemies and throwing up good discipline to the dishonour of God, the scandal and ruin of true Christian religion and the infallible disturbance of quiet, and the confusion of this church and nation. We do in all humility but with the greatest earnest beseech, nay obtest, your Majesty by the same mercy of God that restored this Church and raised your Majesty to the Throne to interpose for relief of this Church.

Signed in our name and at our appointment by Wm. Mitchell, moderator.

Docketed by Oxford. Representation of the commission of the Kerk against the toleration. Received Feb. 14, $\frac{1711}{1712}$.

Memorial of barbarities exercised against Master John Morison, minister at Gairloch and Master Thomas Chisholm, Minister of the Gospel at Kilmorach.

The paroch of Gairloch in the presbytery of Dingwall becoming vacant by the death of Roderick Mackenzie, John Morison, then minister at Bolcskie, had occasion to preach in the said paroch four several Lord's days and all the heretors in the paroch with the tutor of Gairloch and people of that paroch did testify their satisfaction with him by attending punctually to hear sermon, bringing their children to be baptized by him, and coming to him to be married : and at length all the residing heretors and others of the paroch met and subscribed a call to him to be their minister. The presbytery sustained the call, and, as the custom is, sent one to serve the edict, that is to intimate that Mr. Morison had got a call to that paroch and was about to be settled there, advertising such as had anything to object against him to propose them to the presbytery. The person sent to serve the edict was Mr. Thomas Chisholm, now minister of the gospel at Kilmonack, who in his way having come to Kinlochow in the paroch, belonging to Sir John Mackenzie of Coull, separated by a loch or lake from the rest of the paroch, the people of that place influenced by their master would neither afford him lodging nor allow him a boat to carry him over the water. This obliged him to travel in the night time five miles by the Loch side where he hired a boat to carry him over next morning. But about 2 o'clock in the morning while he and two men that came with him were asleep, 16 men all or great part tenants of Sir John Mackenzy, all armed, beset the house, broke open the door, and dragged them out of their beds and compelled him to return with them 10 miles of the way over high hills and deep snow, would not suffer him to call at an house for a little *aqua vitie* for one of his attendants that had fainted but forced him to leave him behind in that condition, saying they did them too much kindness that they suffered them to live and carried him and his other attendant to a sheld or wast herd's cottage several miles distant from any house and left them there. Mr. Chisholm and the other servant hired a guide to lead them to Gairloch by another way: but he was so wearied with watching, fasting, and travelling all the night before, that he fainted and lay speechless upon the snow for an hour and an half. After he revived somewhat he came to the house of Farquhar Mackra in Lochbroom where he lodged but about midnight eight or nine of Sir John Mackenzie's men, armed, broke into the house and threatened to carry him away but by the landlord's intercession they delayed till morning when they forced him to return to Kinlochow and would not let him go within a house by the way to rest but kept guard on him in the open fields. These were relieved by a fresh company, masked, who carried him to a wast house in a wood where they kept him all night and until

11 o'clock the next day, Saturday, but this place being in Gairloch he read the edict in the hearing of his guard. That party being relieved by a fresh party of 15 men they compelled him to travel over hills and through deep waters to within 2 miles of Lochbroom, where the company divided and seven of them carried him through many deep waters, some reaching to his armpits, and brought him late that night to the border of the paroch of Contein, where they kept him all night. Early in the morning they dragged him away and after they had brought him in sight of the Kirtoun of Contein left him. All the while he was in the custody of these parties they suffered him neither to eat nor drink from Friday's morning till Sunday's night and obliged him to travel, being in a belted plaid, whereby his legs and thighs were so cut with snow and ice that for several days after he came home he was not able to rise out of his bed. The presbytery of Inverness having upon the call of the paroch of Gairloch transported Mr. Morison from his charge at Boleskine to the paroch of Gairloch, he came to his charge there but in his way was intercepted by 10 of Mackenzie's men who laid violent hands on him and his servant, made prisoners of them for 3 days in a cottage full of dung, without meat, drink, or bed, for about 48 hours. During his imprisonment he begged of Roderick Mackenzie, Sir John's tacksman or tenant in Lochow, to set him at liberty or at least allow him a bed and maintenance but this was refused and he was detained in custody till the morning of the Lord's Day when a new party of Gairloch's tenants (who is a child) pretending an order from John Mackenzy, the deceased Gairloch's brother and the said Sir John Mackenzy of Coull, came upon him, armed, and forced him and his servant to quit that place and travel all that day and the night following, and left himself upon Monday's morning within 2 miles of Sir John's house, but carried away his servant.

After he got free, he waited on Sir John to know if this treatment was by his order or allowance. Sir John told him he was not bound to own that but declared that wherever he had power he would hinder the settlement of any presbyterian minister. *Copy.*

Docketed by Oxford. Received 11 February, 1711-12. From M: Annandale, 1711.

The Commission of the General Assembly of the Church of Scotland.

1712, March 5.—Address to the Queen. Upon notice they had of a Bill in Parliament entituled a Bill to prevent the disturbing of those of the Episcopal Communion in Scotland in the exercise of their religious worship and in the use of the Liturgy of the Church of England they presumed to address her for the preservation of their present establishment as secured by law; but now that by the forsaid Bill the Oath of Abjuration enacted for the establishment of the succession to the Crown in the Protestant Line is appointed to be taken by all ministers, they sincerely declare that they do believe the person pretended to be the Prince of Wales during the life of the late King James and since his death taking upon himself the style and title of King of England by the name of James III. or of Scotland by the name of James VIII. hath not any right or title whatsoever to the Crown of this realm and faithfully promise to support, maintain, and defend, the succession of the Crown in the Protestant line against the said pretender and all other persons whatsoever, understanding the forsaid Oath of Abjuration in the fullest sense to renounce any right the pretender can claim to your dominions in so far as the Oath settles the succession on the Princess Sophia.

But there remains a scruple with many as if the conditions mentioned in the Acts of Parliament establishing the succession referred to by the Oath were to be understood as part thereof and to swear to some of them seems not consistent with their known principles they most earnestly beseech that this their address may be graciously accepted without respect to the conditions scrupled at. (*Signed*) William Mitchell, moderator.

WILLIAM MITCHELL, moderator, to [the LORD HIGH TREASURER.]

1712, March 8. Edinburgh.—Covering letter transmitting the above address.

GENERAL ASSEMBLY of the CHURCH of SCOTLAND to the QUEEN.

[1712.]—Having in another address represented their loyalty and concern for the Protestant Succession and the difficulties some may find as to taking the Oath of Abjuration, they beg leave to put her Majesty further in mind of the things laid before her by the Commission of the last General Assembly as grievous and prejudicial to this Church. Her gracious letter to this Assembly having assured them of her firm purpose not only to maintain the Church of Scotland as by law established but also redress their just complaints, they have instructed and empowered the Commission appointed by this Assembly to use all proper and dutiful means whereby their grievances may be redressed. *Copy. Undated.*

THE SAME to THE SAME.

[1712 ?]—In pursuance of those Christian ends recommended to them by Her Majesty in the beginning of this Assembly they crave liberty to represent that their reformation from popery was by presbyters whereby the presbyterian government in an equal party without any superiority among them was settled and for this constitution and church government the constant zeal and concern of the ministry and people of this national church is sufficiently known, God having always signally blessed the Presbyterian government of this church.

Upon these considerations, at the late happy revolution and for remedying the many evils suffered and preventing the like in time coming, the Claim of Right did declare against prelacy as an insupportable grievance and trouble to this nation and by Acts of Parliament thereon ensuing Presbyterian government is settled as agreeable to the Word of God and most conducive to the advancement of true piety and godliness and the establishing of peace and tranquillity and to be the only government of Christ's church within this kingdom.

Notwithstanding, they find themselves constrained to represent to Her Majesty for help and relief, first the extraordinary growth of popery and bold and insolent trafficking of popish priests and jesuits, in several parts of the kingdom, not only by secret practices but by avowed keeping of Mass meetings and houses and insulting of ministers, daring even to set up schools to the corrupting and poisoning of youth and many other unaccountable attempts as if in a popish country, to the great dishonour of God, the violation of Her Majesty's laws, the increase of disaffection to her government, and the grief and disgust of faithful subjects.

Secondly, though unquestionably bound to maintain charity towards those who peaceably differ from them, they cannot but complain of the disorders of some of the episcopal clergy who transgress her laws by preaching though not qualified, by despising sentences of deprivation passed by the Privy Council and of deposition by church judicators, by invading settled churches, by intruding into vacant churches, and by irregular baptizings and clandestine marriages, and other gross abuses. Of these things they have drawn up a particular condescendence to be given into her privy council, whereof they have transmitted doubles to her secretaries for her better information.

Thirdly, they must also regret the abounding of immorality and profaneness, notwithstanding the clear light of the gospel they enjoy and the many laudable laws that have been made.

They earnestly entreat that Her Majesty will appoint that the laws against papists be executed with vigour and all unwarrantable and illegal attempts of dissenters against the established government of their church be punished and prevented according to law; and that a proclamation in Her Majesty's name issue to that effect and for the strict execution of the laws against profanity and immorality in persons of all ranks. *Not dated.* 1 *folio.*

THE SAME to the Lords of the PRIVY COUNCIL.

To the same effect as above; and furnishing specific instances of grievances of which they complain.

2 *folio pp. not dated. Copies on the same sheet.*

1711-12, March 24.—Memorial anent the power and privilege of presenting Ministers in Scotland before and since the Reformation. 4½ pages.

Addressed to Daniel Defoe, esquire, at Newington near London.

William Mitchell, moderator of the Church of Scotland, to [the Lord High Treasurer.]

1712, March 27. Edinburgh.—The commission of the General Assembly being informed of a Bill depending before the Parliament for restoring of patronages have unanimously agreed upon an humble address to Her Majesty against the same and appointed me to transmit a copy thereof to your Lordship and humbly to entreat you to use your best offices to obtain a gracious answer.

Enclosure.—The address to the Queen, praying that Her Majesty will use proper means to prevent this encroachment "so evidently prejudicial to the work of the Gospel and the peace of this church."

W. Cochran to [the Earl of Oxford.]

1712, May 1. London.—Presumes to give his Lordship the trouble of reading this enclosed (*missing*) leaving it to his judgment how maliciously and groundlessly he is persecuted by some of his own countrymen. *Signed.*

The Same to the Same.

My Lord, Since your Lordship allowed me to give account of affairs here my presumption I hope will be forgiven me. I am truly sorry to see and hear how the customs are so scandalously managed that it may be properly said it is in this country become a virtue to run goods and cheat Her Majesty of her own and I must say even her own servants chides the waiters when they do their duty. Never such running was in Scotland as is and has been all this year, for though much tobacco be brought in yet, as I am credibly informed, the whole money for the duty is drawn back, what by drawbacks and damnified tobacco. I must say there is not one man to be trusted either at Glasgow or Port Glasgow except Mr. Græme who is collector at New Port Glasgow. I do declare on my honour, in saying this I have no manner of view or design but my duty to Her Majesty and my zeal for your Lordship's management. I do remember I once presumed to recommend Laurence Craford of Jordanhill to be one of the commissioners of customs for whom I will answer to be a gentleman of capacity for that office and of great integrity. With him and Mr. Pringle yesterday I was. He told us both how scandalous it was to see the management of that revenue and said if Her Majesty thought fit to make him one of the commissioners he would answer for it to raise the customs the first year at least more than five thousand pounds. I have called for the establishment of the officers belonging to the customs and I resolve to give you a true account of every one of them when I have the honour to wait of you again the middle of December next without regard to any man or their principals. I am sensible this will create me enemies if it be known as I find my offer for providing the troops has done but that shall not make me desist from my duty to Her Majesty.

Yesterday from this my Lord Kilforth parted post for London and before this comes to hand will wait of your Lordship and entirely depend on you. Lord Dundonald, Sir Robert Pollock, Sir Patrick Johnstoun and Mr. Smith for Glasgow district are gone two days ago and I hope will all go into your Lordship's measures. *Undated.*

The General Assembly, 1712.

1712, May 1.—Short abstract of proceedings.

Sermon by Mr. William Carstairs, moderator of the last Assembly, upon Proverbs 23, verse 23.

Rolls made up and called.

Mr. William Hamilton, professor of divinity in the college of Edinburgh, chosen moderator.

Speech by the Commissioner.

Moderator's reply.

Committees named.

Order for bringing in the Synod books to be examined.

Dyet appointed for prayer.

1712, May 2. Edinburgh.—Dyet spent in prayer except that two were named to preach Sabbath next before his Grace.

Members added to Committees.

Appointment of meeting for next day at 10 a.m.

Docketed by Oxford. Received May 6.

1712, May 1.—Speech of the Duke of Atholl at the opening of the Assembly.

1712, May 15.—Speech of the Duke dissolving the Assembly and appointing the next meeting for the last Thursday in April, 1713.

Docketed by Oxford. Received May 19, 1712.

The General Assembly.

[1712.] May 3.—The appointment of the Duke of Atholl to represent her royal person in this Assembly is very welcome.

Her Majesty's great concern for suppressing vice and immorality tends so much to the glory of God and the interests of their holy religion that they must ever make it their study and endeavour to promote true Christianity and her assurance that such magistrates as be most faithful in executing the laws against practices which are a scandal to the Christian profession shall have her countenance and favour is a satisfaction to them, and they persuade themselves that she will in her royal wisdom find out such methods as shall be most proper for making her pious purposes expressed in your proclamations more effectual than hitherto.

The late occurrences, of which she has taken notice, possessed them with fears and jealousies but they lay hold upon the assurance she is pleased to give of her purpose to maintain the Church of Scotland as established by law, but in that truth and ingenuity that becomes the faithful ministers and servants of Jesus Christ put her in mind of the representations and petitions laid before her by the commission of the last general assembly for a remedy in these matters.

Protest their loyalty and affection to Her Majesty and the government and their true concern for the succession in the Protestant Line of the illustrious house of Hanover.

(*Signed*) William Hamilton, moderator.

The said MODERATOR to the EARL of OXFORD.

1712, May 3. Edinburgh.—By order of the General Assembly I send your lordship a copy of their answer to the Queen's most gracious letter, which was unanimously voted. I hope it will be found dutiful. *Holograph.*

Sir JAMES STEUART to the EARL of OXFORD.

1712, May 3. Edinburgh.—I had the honour of your's delivered to me by his Grace the Duke of Atholl which I shall answer fully. But the occasion of my present writing is only to transmit by his Grace's direction the Memorial enclosed (*not here.*)

Docketed by Oxford. Lord Advocate. Received May 8, with a draft of Instruction.

WILLIAM HAMILTON, moderator of the GENERAL ASSEMBLY, to [the EARL of OXFORD.]

1712, May 14. Edinburgh.—The General Assembly of the Church of Scotland have agreed upon an address to Her Majesty concerning the Oath of Abjuration and another concerning some late occurrences which were grievous to them, and by their order I transmit copies of these addresses to your Lordship: and I humbly hope the same shall be found loyal and dutiful. *Holograph.*

Enclosure.

The ADDRESS.

The Commission of the last General Assembly of this Church being informed that the Oath of Abjuration was to be enjoined to all the ministers thereof did enter into an address to your Majesty declaring their loyalty and promising to maintain the settlement of the Crown in the Protestant line but withal did humbly suggest that a scruple remained with many as if the conditions mentioned in the Acts of Parliament establishing the succession referred to by the oath were to be understood as a part thereof, and plead to be relieved in the terms of the treaty and articles of the Union, and your Majesty having been pleased in your letter to this Assembly to declare that the Address did so much manifest their loyalty that it could not but be acceptable, we, met in this present Assembly, finding that the scruples still remain with many of us, earnestly address your Majesty that such of us as remain unclear as to taking the said oath may yet be favourably regarded as your most loyal and dutiful subjects.

[The EARL OF MAR] to [the EARL of OXFORD.]

1712, May 13.—I have received two packets from the Assembly containing copies of their public papers as also giving an account that on Wednesday their great committee was to meet in order to the discoursing the most difficult points occasioned by the late occurrences, where I heartily wish the scruples and jealousies of a great many may be effectually removed as I know all proper measures will be used to that end. I also understand that there was great need for the instructions to my Lord Commissioner which your Lordship hath procured.

While I can any ways be in the least serviceable by informing your Lordship with respect to any affairs relative to the Assembly I am most willing to attend, but having now been much of seven months waiting on the affairs of our church, I hope your Lordship will allow me to take journey the begi[n]ning of the next week seeing against that time the last accounts will be come I . . . . wish your Lordship the divine conduct and [counte]nance in all your weighty affairs. *Unsigned.*

Addressed to my Lord.

EDWARD SMITH to the EARL of OXFORD.

[1712, May 31.]—Against the Bull Head Tavern, Fleet Street, at the Temple Exchange. I crave leave to offer to your wise consideration a new invented way of writing incognito or a secret way of writing that cannot be suspected, vizt., if 10,000 letters were to be writ and copied and to be conveyed by post, land, or sea, or by messenger, to any country or kingdom, every letter shall be of a different character and the key to every individual character conveyed at the same time and every individual letter copied at the same time. Prays to be admitted to give proof thereof.

Docketed by Oxford. Mr. Smith's proposal about a cypher. Received May 31, 1712.

SYNOD of FYFE to the QUEEN.

1712, June 19. Kirkcaldy.—In compliance with the address of the General Assembly of the Church of Scotland to prevent mistakes and misrepresentations Ministers might be liable to on account of scruples to take the Oath of Abjuration not from disloyalty but from apprehension that some things are implied in the oath not consistent with their known principles and that the provisions of Government subjoined to the second limitation may be understood to be part of this oath, the swearing unto some of which would not be agreeable to the known principles of this church and the privileges thereof secured by law, they in all dutiful humility represent and declare that they all cordially agree in the points of loyalty and duty asserted in the said address and those among us who scruple, as well as they who may be clear, to take the oath do most unanimously and cheerfully acknowledge Her Majesty's right as only lawful and rightful sovereign of this realm, disown and disclaim any right in the Pretender, and promise to the utmost of their power to maintain the succession of the Crown in the Protestant Line, for default of issue of Her Majesty's body unto the Princess Sophia Electress and Duchess Dowager of Hanover, against the said Pretender. And these being the obligations and duties of loyalty contained in the oath of abjuration wherein we are all agreed, it would be a great relief to the tender consciences of those who scruple if they were fully satisfied that these are the whole meaning and intendment of the legislature in the said Oath. They pray that of her tender care of her subjects Her Majesty will use means for their obtaining a declaration to that purpose.

ROBERT MURRAY to the EARL of OXFORD.

1712, June 25. London.—In obedience to your commands I will lay before you my father's case as briefly as I can. There is no occasion to enlarge upon any encomium my father having been particularly known to you, only this I shall mention that he has ever been looked upon as a most sincere servant of your Lordship's even in the time of the late ministry. Notwithstanding, he was recommended to a noble Earl then one of the Secretaries of State by the Elector of Hanover in these expressions "*Vous m' obligeres fort si vous faites le plaisir à M. Murray dont il aura l'honneur de vous escrire,*" the Earl after having kept him here for two years, at great charges, at last told him that he was sorry he could not do anything for him and insinuated as much as if the then Lord High Treasurer and the General were against it. Finding he could obtain no favour from those who have pretended so much respect for the Electoral Family, his circumstances not allowing him to remain in England, he returned to Hanover, where by intercession of that Elector with the Duke of Wolfenbutel he was appointed governor of the Academy there; that being ended and having no means to subsist, he flatters himself that, as your Lordship has honoured him with marks of your regard and assurances that you would mind him upon occasions, you will forgive the liberty he takes in becoming once more a suppliant to confer upon him any post at home or abroad you think most proper.

Docketed by Oxford. Mr. Anth. Murray. Received from Mr. Robert Murray, June 27.

The SAME to the SAME.

1712, June 26. London.—The many instances our family has of your Lordship's friendship and protection and the confidence I place in your goodness pleads in my favour towards the liberty I take in troubling you with this. The principal motive that induced me to leave the Court of Hanover which I served for several years was the inclination I ever had to follow military affairs, together with some disgust I had as to my preferment in that Court, which brought me to England to serve the best of Princes, our most gracious Queen, and my native country, and being countenanced by that noble peer the Duke of Ormond, whom I waited upon over to Ireland, encouraged me the more. But it having pleased the Almighty to bless us with the prospect of a peace so glorious I hope you will excuse me in becoming a petitioner to your Lordship that, as I have left off all thoughts of advancing my fortune by the Army and given myself up to civil affairs, your Lordship would introduce my case to Her Majesty and Mr. Secretary St. John that I may be appointed her Secretary at the Court of Hanover which has been possessed for these three years past by Monsieur de Alais, a Frenchman, formerly secretary to Mr. How. I conceive the possession of the German language as perfectly as English or French and the knowledge I have of that Court, may be of considerable advantage to me; or if this may not seem agreeable to your Lordship that I may be appointed one of the commissioners for managing the lotteries.

Rev. WILLIAM CARSTAIRS to [the EARL of OXFORD.]

1712, July 1. Edinburgh.—Though I would very cheerfully embrace any opportunity to testify the great honour and value I have for your Lordship and the sense I have of the obligations I am under to you for the great civility and kindness that you have always treated me with, yet I am ashamed to give any trouble with my letters when the matter of them cannot plead some excuse as I hope the enclosed (*not here*) will do for this: for being earnestly desired to convey the enclosed to you, the Professor of Divinity at St. Andrew's, Mr. Halliburton, to whose care they were recommended not having the honour to be known to you, I did persuade myself that you would not be displeased with me for taking the liberty to give them a covert. I am sorry that any judicature of our church should think an address about the abjuration oath necessary but the scruples that some have about it are unaccountable, yet I am apt to think that the great reason of the enclosed address was the desire the ministers of Fyfe had to declare their firm loyalty to Her Majesty and true zeal for the Protestant Succession as established by law while yet they scruple at the oaths though very many of them do not so ; and I cannot but say they are hearty wellwishers both to Her Majesty's government and person and to the succession of the House of Hanover, I am apt to think that considering that the time for taking the oath is now prolonged those concerned in the enclosed address will be very well satisfied with whatever shall be your Lordship's conduct as to delivering or not delivering thereof as you shall think fit. *Copy.*

GEO. YEAMAN to [the EARL of OXFORD.]

1712, July 17. Edinburgh.—When he waited on his Lordship at his leaving London he made offer of his service in Commission of Custom or Excise in Scotland, but his Lordship having matters of greater concern under deliberation had not time to lay his commands on him neither could he determine when opportunity might offer for employing him as he proposed. Wherever employed he will act in everything with all zeal for Her Majesty's interest and according to his weak capacity take such observations in everything as he may be able to give his Lordship satisfaction in such things as come under his 'viue' in this place. He was encouraged by his Lordship's command at London to give him this trouble and depends on his favour if opportunity of employment in the Queen's service offer.

Is now attending as a member of the convention of the royal boroughs who have had the clause in the Land Tax Bill before them which directs the method for ascertaining the proportion of each borough in Scotland and have had many long debates this 16 days without coming to a fixed rule. The difficulties arise from the different circumstances of each borough : he will not say whether there be any who design under this colour to procure an ease to themselves to the prejudice of others, for his own part he has caused take up the true and real account for the town of Dundee and given it in to the Convention. How this matter will be concluded he cannot say, but he will study the questions that arise that, if it come before Parliament, he may be able to give his Lordship some light therein and in all other matters.

Docketed by Harley. Received July 23. Burroughs there.

ACTS of PARLIAMENT relating to HOSPITALS in SCOTLAND.

James II., par. 14, cap. 69.

To be visited by the Chancellor, the ordinary, and two honest men.

James V., par. 7, cap. 101.

The king to name visitors of.

James VI., par. 5, cap. 63.

Visitors of. The chancellor for those founded by the king's progenitors; the bishops, or commissioners of dioceses where no bishops are provided, for all others.

To report to the king by a time limited in the Act.

Charles I., par. 1, cap. 6.

Trustees of donations for pious uses to be accountable to the colleges, &c., or to the Bishop of the diocese, for their use.

By Acts in 1696 and 1698 it is recommended to the king to cause all hospitals to be visited, but I can't find anything was ever done upon these recommendations.

Docketed by Oxford. Abstract of the Acts of Parliament relating to hospitals in Scotland. Baron Scrope. Received August 12, 1712.

J. BAKER to the LORD TREASURER.

1712, August 26.—About two months since I delivered in to Mr. Taylour the bills and receipts for the cost of the several articles of Her Majesty's present to the Regency of Tunis, performed with the utmost care and fidelity.

From Algiers I am advised that upon Her Majesty's having taken a resolution severely to punish the commander of the English privateer that some time since by insulting a small Algerian murdered seven Turks His Excellency the Pasha and Dey has entirely receded from his intentions of sacrificing the Consul to atone for their death. *Holograph.*

SIR STAFFORD FAIRBORNE to the LORD HIGH TREASURER.

1712, August 27.—Her Majesty having promised as a mark of her royal favour that he should not suffer in his allowances but that she intended to have it made up to what was equal to the half-pay of an Admiral of the Fleet (which he heretofore received), there remains to make such allowances good to Christmas last 1711, 912*l.* 10*s.* Prays his lordship to order this out of the Civil List or Contingents of the Navy until Her Majesty is pleased to employ him some way for her service which is at all times his chief ambition.

ROBERT PRINGLE to the LORD HIGH TREASURER.

1712, September 4. London.—Has been lieutenant in Brigadier Preston's regiment some years and having received several wounds in Her Majesty's service obtained leave in January last to come to England for his recovery. Some time after, the Queen having ordered every officer to his command, he obtained further leave for eight months. During all the time he has been here he has never received any subsistence from the regiment notwithstanding he has written several times to the agent, who is major to the same. He is no ways in the regiment's debts, they not only owing him eight months subsistence but sixteen months arrears. Begs he may have his subsistence here or in Scotland whither he is going. *Seal.*

1712, September 12.—Hopes Oxford will forgive the trouble of the above Memorial and order him some relief. He has attended the court of General Officers for above two months and as yet cannot have his petition read.

Address to the QUEEN by the PROVINCIAL SYNOD of PERTH and STIRLING, met at Perth, 16 October, 1712.

Repeat their expression of loyalty to Her Majesty made in the late General Assembly, and declare their belief that the person pretended to be the Prince of Wales during the life of the late King James and since his death taking on himself the style and title of King of Great Britain by the name of James III., or of Scotland by the name of James VIII. hath not any right or title whatsoever to the Crown of this realm. Further they solemnly engage to maintain the Protestant Succession in the most illustrious family of Hanover.

But though fully agreed in this hearty declaration of these things contained in the oath of abjuration (required of the Ministers of this church), yet there appearing great difficulties to many of them with respect to the terms in which it is exprest, they implore clemency for such as may not have clearness to take the same.

Address to the QUEEN by the PROVINCIAL SYNOD of GLASGOW and AIR in similar terms.

Docketed by Oxford. Received October 20, 1712, in Mr. Stirling of October 11.

SYNOD of LOTHIAN and TWEDDALL.

At Edinburgh on 6 November, 1712, there was presented before the Synod by Mr. Robert Livingstoun, minister at Biggar, a similar declaration of loyalty by the brethren of the Synod who had not freedom to take the Oath of Abjuration. Subscribed by the said minister; Mr. James Hart, minister at Edinburgh; John Bonnar, minister at Torpichan; William Miller, minister at Edinburgh; James Robertson, minister at Ettlestown; Simon Kellie, minister at Glenholm; John Murray, minister at Skirline; John Guthrie, minister at Ratho; James Gray, minister at Innerlithen; William Brown, minister at South Leith, James Patton, minister at Carringtown; Henry Robertson, minister at Oldhamstocks; John Fleming, minister in the Castle of Edinburgh; William Dunn, minister at Musslcburgh; John Flint, minister at Edinburgh; John McClaren, minister there; John Shaw, minister at South Leith; Neil McViccar, minister at the West Kirk of Edinburgh, John

Williamson, minister at Mussleburgh; John Sethrum, minister at Gladsmuir; Thomas Timson, minister at Broughton; Samuel Mitchelson, minister at Lyne; David Blinshall, minister at Lamingtown; Stephen Patton, minister at Newlands; Daniel Gilchrist, minister at Lintoun; William Levingstoun, minister at Traquair; Matthew Selkrig, minister at Crightoun, John Brand, minister at Borrowstounness; and John Tait, minister at Kilbucho; who desired that their said declaration might be recorded in the Register of this Synod, there to remain *ad futuram rei memoriam*, and the same being read in the Synod was appointed to be recorded.

Another copy of the above.

A PRESBYTERIAN MINISTER in Scotland to the EARL OF OXFORD.

1712, December 16.—Though he has not the honour of his acquaintance, yet knowing him to be a well wisher to the government and the Protestant Religion, has presumed to acquaint him how things go in Scotland. Many ministers of the Established Church have taken the Oath of Abjuration, whereupon the people generally run away from them to the nonjurant ministers so that in some congregations where there used to be five or six hundred people not above twenty-four persons are to be found, the nonjurants encouraging them thereunto all they can: nothing can quench this flame but to give an indemnity to the nonjurants and appoint them a new day to take the oath upon, the rather that in several synods and presbyteries the justices of peace did not meet, particularly in the synods of Angus and Argyle and Setallbyrs and so the ministers could not take the oath. If a new day were assigned it is not to be doubted but many of the non-jurors would come and take the oath, which would help to quench the flame, especially if the Scottish Acts of Parliament made after the Restoration of King Charles II. appointing people under a penalty to keep their own parish church at least every third Sabbath were revived and a way laid down for their execution. Otherwise these who have out of conscience obeyed the Government will be utterly ruined and obliged to quit their posts.

Docketed by Oxford. Scotland. Unknown Presbyterian minister. Dated Dec. 16, 1712, but postmark at Edinburgh, Dec. 25. Received December 31. *Seal.*

1712.—A true and impartial representation of the state of the LITTLE CHURCH of ELGIN.

The town of Elgin has now but one parochial church called St. Giles's, which is endowed with a benefice for the maintenance of two ministers, of which church and the benefice thereof two presbyterian preachers are in possession, but in the time of Cromwell's usurpation, there being a garrison of English soldiers in Elgin, the magistrates finding the said St. Giles's was not large enough (being it was at that time two thirds less than it is now) to accommodate the parishioners and garrison too did repair an old ruinous chapel, now called the Little Church and added to it a third part more, all upon the town's proper charges, the inhabitants raising a voluntary contribution to be paid yearly for the third minister, which continued during the time of the said usurpation. Upon the happy restoration of King Charles the Second, the garrison being removed and they having no more use for this church or a third minister, St. Giles's where the bishop and his vicar did officiate *per vices* being capacious enough to contain the whole parishioners, they all repaired thither until about the year 1669 Bishop Mackenzie revived the design of a third minister. The great difficulty was how to settle a maintenance for him. The Bishop proposed to the magistrates and community to raise a voluntary contribution, which they condescended to do, and to excite them to do this the more cheerfully he and his vicar bestowed as much as made up a third part of the maintenance, and the other two thirds were made up by the community and town's tradesmen. Upon this fund Mr. James Hamiltoun was settled minister of that church but finding after four or five years that he could not obtain a legal establishment of that fund, many of the contributors being life renters, he deserted it and embraced the first offer of a church with a legal benefice.

And so this church became useless again until about 1680 when St. Giles's happening to fall the bishop and his vicar were necessitated to use the Little Church for Divine Service until St. Giles's was rebuilded when it was enlarged two thirds more than before and is now so spacious that it can contain many more people than the whole parishioners. The little church was again quite relinquished for about seventeen years after the rebuilding, when it pleased Her most Gracious Majesty Queen Anne at the beginning of her reign to grant some indulgences to the episcopal clergy in Scotland; whereupon the heritors in the country and the most considerable part of the burgesses and the inhabitants of the town, being of the episcopal communion, gave a call to Master James Henderson, an episcopal minister, and addressed the magistrates and council to grant them the use of the little church. The magistrates granted the same to Master Henderson and his hearers who enjoyed it for some months until by misrepresentations to Her Majesty's advocate by the presbyterian preachers in Elgin (as that they could not be accommodated without the little church) his lordship remitted a letter to the sheriff to put the little church in the hands of the presbyterians, which letter being given *altera parte inaudita* was with all possible expedition put in execution, the sheriff coming and breaking open the doors put on new locks upon them and delivered up the keys to the presbyterians immediately before Easter to prevent the administration of the Holy Sacrament which for twelve years before (the time that presbytery had continued) was not administered in this place.

The presbyterians having by this means usurped the possession of the little Church preach in it for no more than three Sundays thereafter notwithstanding that they had formerly represented to Her Majesty's Advocate that they were still to preach in it and could not be accommodated without it, but how soon they had thus (without her allowance and authority interposed) got possession of it, having no other design, as appeared by the event, but to drive those of the Episcopal Communion from their place of worship, very soon weary of the charge of preaching in it themselves upon the Sundays, being it was endowed with no benefice. They therefore lock it up and content themselves with St. Giles's for their Sunday worship, so that for nine or ten years until this present time there was neither preaching nor public worship in the Little Church upon the Sundays, nor was there ever any presbyterian preachers called or admitted to that church, it being no parochial or beneficed one. Now these of the episcopal communion in Elgin having no place to meet in for their public worship but an old ruinous house where every day they assembled together were in danger of their lives and there being no other place in or about the town that could contain them, though even it did not contain them all, there being still great numbers obliged to stay without doors and at windows for want of room within, the magistrates out of compassion and from a Christian principle of preventing the danger and great hazard to which the greater number was exposed, especially being authorized by the late Act of Toleration to those of the Episcopal persuasion in Scotland, and as having the sole right to dispose of the Little Church, did give the use thereof to those of the Episcopal Communion and ordered Master Robert Blair, their minister, to possess the said church and that he and his hearers should continue to have the liturgy of the Church of England and sermon there as formerly they had in the Meeting House.

Where is any just ground of complaint here ? What disorder is committed by the town or parishioners ? What intrusion or invasion is made upon any parochial or beneficed church ? What injury is done to the presbyterian tribe ? unless they be grieved at the Queen's clemency for granting such an ample indulgence or at the charity of the magistrates so christianly and seasonably providing against the imminent dangers threatened against the most part of the citizens by the ruinous condition of the meeting house. This case seems parallel to that in Aberdeen where those of the Episcopal persuasion in the old town do possess the college church for worship and sermon on Sundays while throughout the week the presbyterian professor of the theology teaches his lessons there. Just so in the new town these of the episcopal persuasion are in possession of Trinity Church there. Both of them in an undisturbed and peaceable manner because neither of these are beneficed churches nor yet is the little Church of Elgin. (*Signed*) David Steuart, clerk of the Burgh of Elgin.

Affidavit of John Cunisone, M.A., and rector of Bulphan, co. Essex, that his father Mr. John Cunisone who was minister of the parish church of Dull in Perthshire was presented to that church by the late Marquess of Atholl, father to the present Duke of Atholl, who was always reputed the true patron of the said church; and deponent who had his education in that country never, to the best of his knowledge, heard his right of patronage to that church was in the least disputed by any. And further, deponent saith that a great part of the said parish is in that country called Atholl. *juratum* 17$^{\text{timc}}$ *die Aprilis* 1713, *coram, J. Smith.*

GENERAL ASSEMBLY.

1713, April 30. Edinburgh.—Short Abstract of proceedings at their opening.

Speech of the Duke of Atholl, Her Majesty's commissioner to: "I desire to know if there be any member in this Assembly that can make any scruple or difficulty in giving God thanks in the first place and the Queen in the next for her great care and concern for relieving the French Protestants from the galleys and restoring many Protestant Churches in Germany to the free exercise of their religion: and I desire to know if all of you have not often prayed to God Almighty in your public prayers for the relief of those Protestants and will you not now, when it is obtained thank Her Majesty as the happy instrument of so pious and charitable a work."

Immediately after this it was yielded to that there should be an Instruction to the Committee of Overtures to insert the Assembly's thanks to the Queen in their answer to her letter.

Docquet. This is what His Grace spoke to the Assembly when they demurred to give the Queen thanks for that part of her letter relating to the Protestants abroad. 1713.

WILLIAM WISHART, moderator, to [the EARL of OXFORD].

1713, May 2. Edinburgh.—Sends a copy of a dutiful answer to Her Majesty's most gracious letter unanimously agreed upon by the General Assembly of the Church of Scotland. May God bountifully reward his Lordship for the good offices he does this church.

Enclosure. The copy of the letter, dated Edinburgh May 2, 1703 (*sic.*)

Signed Will Wisheart, moderator, *Docqueted* Received May 7, 1713.

Proposed addition in amendment of the above copy, "We also beg leave to testify to your Majesty how much it did rejoice us to be acquainted by your Commissioner from the Throne that your Majesty has not only happily concluded that great and good work of a peace and that your care therein for the Protestant religion and the continuation of it in your own dominions is very conspicuous, but also extended the same pious care to Protestant churches abroad, and that God has blessed your endeavours for obtaining the release of those who are in the French galleys for their religion and also the consent of France to redress the hardships to which the Protestant Churches in Germany were liable."

Oxford's note in the margin This is the change I desired.

The Duke of Atholl desired the above clause to be inserted in the answer to the Queen's letter. We whose names are underwritten being desired to give our opinion if it was fit to insist for it declare that upon discourse with members of the Assembly we judge it would not carry nor would it be for the quiet of this church or Her Majesty's service to urge it: but in place thereof if what is subjoined should be offered we hope it would carry with perfect unanimity.

Will Hamilton, Will Wisheart, W. Carstares, Will. Mitchell Jo. Stirling.

"We also beg leave to testify to your Majesty how much it did rejoice us to be acquainted by your Commissioner from the Throne with the great care that your Majesty has been pleased so conspicuously to shew for the Protestant religion and the continuation of it to succeeding generations in your own dominions: and that your Majesty has further extended the same pious care to the Protestant churches abroad and that God has blest your endeavours for obtaining the release of those that are in the French galleys for their religion and the consent of France to redress hardships to which the Protestant churches of Germany were liable."

Endorsed Copy of a change desired to be in the Assembly's letter.

Docqueted by Oxford Received May 7, 1713, from D. Athol.

1713, May 11.—Speech of the said Duke of Atholl dissolving the present Assembly; and appointing the meeting of the next Assembly to be held at this same place on the first Thursday in May 1714.

Docketed by Oxford Received May 16, 1713.

General Assembly to the Duke of Atholl, High Commissioner of the Church of Scotland.

May it please your grace to represent to Her Majesty that Mr. Alexander Scrimzeor, professor of philosophy in the old college in St. Andrews, is admitted professor of Divinity in the new college there upon Her Majesty's patent which the Assembly is persuaded had not been granted if Her Majesty had been apprized that Mr. Scrimzeor is not a minister of the Gospel nor admitted to any degree in Divinity, nor hath undergone any dispute or trial therein, or given any proof of his qualifications and fitness for the office of teaching Divinity and educating the youth designed for the sacred ministry : that this trust being of very great importance to this established church the assembly are the more sensibly concerned about it and would rejoice if Her Majesty shall see meet to apply some remedy : and that your grace who is also chancellor of that University may be pleased also to suggest to Her Majesty such way of relief as in your wisdom your grace shall judge most proper.

Signed Will Wisheart, moderator.

Docketed by Oxford Received May 16, 1713.

Mrs. JANE STEUART to the EARL of OXFORD.

1713, August 26. London.—Your Lordship admitted me twice. The first time I gave you a double of my petition, the next time you was going in haste for Kensington ; so I believe your Lordship's post will not allow leisure to hear me explain my claim, so I think it more proper to give it in "writ" together with another double of my petition and one of the grounds, humbly begging you to peruse them and befriend me in obtaining the same, so next I am to address Her Majesty.

My Lord. As King James the First was the Queen's great grandfather he was also my great grandfather. I am near of kin to your son-in-law by his mother, so interested in your Lordship's family. So humbly begging your assistance you shall have the prayers of a poor widow and all my children and grandchildren's, there is fifteen of them Stewarts by name.

Signed, Jane Steuart.

Docketed by Oxford. Received at Wimpole (?) August 30, 1713. Petition.

WILLIAM STRAHAN to the LORD TREASURER.

1713, September 26. Whitehall.—Last Thursday evening when I despatched a packet for the Earl of Mar with some proxies and certificates of the peers of Scotland who are here, Sir Thomas Frankland told me that it would be necessary to procure at the Treasury a warrant signed by the Queen and countersigned by your Lordship for justification of the Postmasters General in letting the earl's letters and packets go free of postage. I mentioned this to Mr. Taylor at the Treasury that such a warrant might be prepared as is usual in like cases for the other Secretaries of State, but he tells me that application must first be made to your Lordship. *Holograph.*

JOHN SHORT to the LORD HIGH TREASURER.

1713, September 30.—Upon laying before you the grievance I lay under by the commissioners in Scotland refusing to pay mine and my clerks salaries upon your Lordship's general warrant and the several reasons (duly proved) set forth in the state of my case, and otherwise, for obtaining thereof [I] so far convinced you of the reasonableness of my claim that you have frequently promised that I should have a particular order for the same, but affairs of greater moment having possibly been the occasion that the intended directions have not been given. I have now three years salary due to me, viz^{t}., 300*l.* *per annum* for myself and clerks as Accountant General of the Customs and 100*l.* *per annum* as General Inspector and Adjuster of Damages on Wines and Tobacco, in both which employments I have performed such remarkable services without the least shadow of objection that I flatter myself I may without vanity believe that I have deserved my salary as well as any officer upon the Establishment though I am the only considerable one that is not paid it.

P.S.—I am ashamed to be so troublesome but I hope your Lordship will pardon my presumption in consideration of my having paid my clerks out of my own pocket and the great expenses of my long attendance.

Meeting-house at DUNKELD.

Instrument drawn up by Jo. Mackewan, notary public, shewing that at Dunkeld, 8 November, 1713, Mr. Thomas Binning, of Stralochy, baillie depute to His Grace the Duke of Atholl of the lordship and regality of Dunkeld, and Neil Mackglashan, servitor to his Grace, as proctors of the said duke, passed with the said notary to the presence of Mr. James Inglis, sometime minister of the gospel at Muthill, who came to Dunkeld with Lord James Murray the elder of Dowalie and my Lord Nairne and some gentlemen and others there present, living in and about the said place, in order to set up a Meeting-house in the said town; and there the said proctors inquired at the said Mr. James Inglis whether he had taken the oaths contained in the late Act of Parliament made anent the toleration, and if he had to produce a certificate from a magistrate for instructing the same, and further desired the said Inglis, if he was to preach there, to pray for Her Majesty Queen Anne as enjoined by the Act. To which Inglis answered that he had not taken the said oaths and that he would preach and take his hazard, wherefore Mackglashan protested that he might be liable to the penalties contained in the Act and thereupon took instruments in the hands of a notary public. These things were done within the dwelling house of one John Mercer, citizen, in Dunkeld, between 10 and 11 of the clock in the forenoon of the day abovewritten, in presence of John Millar and

Mr. Charles Murray, both writers in Dunkeld, John Butchart, younger, and Patrick Stewart, apprentice to John Stewart, apothecary. Jo. Mackewan, notary public.

Declaration by John Mackewan, clerk to the regality of Dunkeld, and Neill Mackglashan servitor to the Duke of Atholl that they are informed by several of the hearers of Mr. James Inglis, late minister at Muthill, that when reading prayers in a Meeting-house at Dunkeld on 8 November instant he did, in place of that Collect for the queen and royal family, only pray in these words " Our dread sovereign and all the dutiful branches of the royal family." Huntingtower, 9 November, 1713. Witnesses, Alex. Murray and Mr. Neill Stewart, servitors to the said Duke. *Copies.*

Endorsed by Oxford. Received in a flying packet from D. of Athol dated at Huntingtower, Nov. 10, at Edinburgh Nov. 11. Received at Windsor at 2 o'clock in the afternoon Sunday, Nov. 15, 1713.

THOMAS FOULERTON to the EARL of OXFORD.

1713, November 15. Edinburgh.—Permit me to offer up my humble thanks to your Lordship for my being again appointed one of the Commissioners of Customs here.

I am sensible my only title is your Lordship's favourable opinion which it shall be my constant endeavour to preserve. I am sure I shall never forfeit it by any error of my will.

Docketed by Oxford. Received December 10.

RO. STEUART to LORD ———.

1713, December 15. Edinburgh.—There is an affair of importance which is come to my knowledge that I cannot in my duty to the Queen and my particular obligation to my Lord Treasurer but inform him of it. I cannot trust it to writing but I go to-morrow early to Duppline House to discourse the Earl of Kinnoull and shall follow his directions. If he advise me to take post upon Saturday next, I desire nobody shall know of my going up till I see my Lord Treasurer but the Earl of Kinnoull. This I thought fit to write to your Lordship since I could not determine of myself about my going up and knowing your Lordship will communicate so much to my Lord Treasurer I beg you will pardon this trouble.

1713. Draft of a warrant for letters of presentation to be made out under the Queen's Privy Seal of Scotland of —— Bradford, chaplain to the Earl of Hyndford, to the church of Dunsyre in the presbytery of Lanark now vacant by the decease of Mr. Henry Duncan.

KAT. RUTHVEN to the [EARL of OXFORD.]

1713-14, January 20. From my house in St. James's Street, by the green trees, second door from the corner. Wednesday morning.—As I have a matter of great moment to communicate I beg present admittance my business not allowing of delay. If you order me by my servant to come to your house your time shall be observed by her that is your obedient servant.

ALEXANDER CUNNINGHAM to the EARL of OXFORD.

1713-14. March 2. London.—Being to go out of town in a few days, I do myself the honour to ask your commands now and sha'l wait on your Lordship the morrow to receive them.

GENERAL ASSEMBLY to the QUEEN.

1714, May 8.—We the ministers and elders of the General Assembly of the Church of Scotland think it our duty to embrace the first opportunity in our meeting of this General Assembly to acquaint your Majesty that as your late indisposition did justly grieve and alarm us we do now with the greatest joy and thankfulness to Almighty God congratulate your Majesty's happy recovery and perfect health, of which we had the most agreeable confirmation by your High Commissioner from the Throne.

It hath been and ever shall be our fervent prayer that the infinitely good God may preserve you in firm health and prosperity and enable you to defeat the designs of the Pretender and his adherents against your just title and that after a very long, happy, just, and peaceable, reign on earth you may be crowned with glory and immortality and the peaceable possession of the throne of these nations may be conveyed to a Protestant of the most illustrious House of Hanover. Signed in our presence, in our name and at our appointment by *sic subscribitur* Will. Mitchell, moderator. *Copy.*

Docketed by Oxford General Assembly's letter to the Queen May 8, 1714. Received May 11th.

THE SAME to THE SAME.

1714, May 8. Edinburgh.—Your Majesty's continuing to give your protection and countenance to our annual assemblies is a favour which we do with all thankfulness acknowledge. The choice your Majesty hath again made of the Duke of Athole, keeper of your privy seal for Scotland, to represent your royal person is such a signal mark of your goodness to us as we cannot but be very thankful for.

Your renewed assurances that it will be your care to promote true piety and godliness by employing such persons as shall be faithful in executing the laws against profaneness and immorality is a great comfort to us and we persuade ourselves your Majesty will in your royal wisdom find out such means for making your religious purposes more effectual than to our deep regret they have hitherto been.

We cheerfully embrace and lay hold on your Majesty's assurance of your firm purpose to maintain presbyterian government in the Church of Scotland as established by law and hope that things grievous to us may in due time be redressed and the vain confidences of enemies to our constitution be brought to nought.

It shall be our constant care not only to be steadily loyal ourselves and fixed in our concern for the Protestant succession in the House of Hanover but also that all who join in communion with us be duly possessed with loyal principles and firmness to the Protestant succession, upon both which, under God, the security of our religion and liberty entirely depend.

However bold and unaccountable the proceedings of such as are enemies to your government and friends of the Pretender have of late been and whatever grounds they may have given for fears and jealousies among your faithful subjects we assure your Majesty that as it has been so it shall ever be our care to make all we have influence upon deeply sensible of the blessings they enjoy under your government. That your Majesty may be always highly favoured of God for the comfort of the Protestant Churches and the happiness of your people and after a very long and happy reign here upon earth be at last crowned with glory, honour and immortality, leaving a peaceable access to the throne to the Protestant heirs of the illustrious family of Hanover are and shall be the fervent and constant prayers of the ministers and elders met in this National Assembly of the Church of Scotland. Signed in our presence in our name and at our appointment by *sic subscribitur.* Will. Mitchell, moderator.

Copy. Docketed by Oxford Edinburgh. Address of the Assembly of the clergy to the Queen. Received May 11.

The Same to the Same.

1714, May 8. Edinburgh.—Congratulating Her Majesty on her recovery.

The Same to the Same.

1714, May 8. Edinburgh.—Her choice of the Duke of Atholl, keeper of the privy seal for Scotland, to represent her in this Assembly they cannot but be very thankful for. They cheerfully lay hold of her assurance to maintain presbyterian government and profess their constant loyalty to her and the Protestant Succession.

Commission Book.

1714, May 15.—The committee for revising the Commission Book having read over the same do find that the Commission have proceeded according to their commission and instructions and have been diligent and faithful in the work committed to them for which we judge they deserve the thanks of this venerable assembly and particularly for their zeal against popery and seasonably impressing the minds of the people with loyalty to Her Majesty, firmness to the Protestant Succession in the illustrious House of Hanover, and just aversion to the popish Pretender, all fully expressed in their seasonable warning.

Docketed by Oxford Received May 21, 1714.

The General Assembly.

Speech of the Duke of Atholl dissolving the Assembly on May 17, 1714; and appointing the Meeting of the next Assembly to be at the same place the 4th day of May 1715.

Docketed by Oxford Received May 21, 1714.

General Assembly to the Queen.

1714, May 17. Edinburgh.—To their extreme sorrow they find themselves obliged to represent to Her Majesty the extraordinary growth of popery and bold and insolent carriage of popish bishops, priests, jesuits, and other trafficking papists, in several parts of this nation, not only by secret practices but by avowed keeping of mass meetings and chapels to which people openly resort, by whose artifices several hundreds have of late been perverted in a few parishes; and that their bishops presume at stated times to confirm great multitudes as in a popish country, to the great dishonour of God, the violation of Her Majesty's good laws, the increase of disaffection to the government, and the disquiet of faithful subjects. A more full account whereof shall be sent to the Secretaries of State to be laid before Her Majesty.

They cannot forbear to represent the disorders of some of the episcopal persuasion who transgress the laws by possessing themselves of parish churches and introducing therein a way of worship never allowed in this church and contrary to the act for securing presbyterian government, declared to be a fundamental of the Union, of which they have a pregnant instance by the late violent and tumultuary invasion of the church of old Aberdeen: and however fond some of that way appear to be of the Liturgy of the Church of England they either altogether omit the prayers for Her Majesty or make such alterations as render them equally applicable to the Pretender. They cannot omit this opportunity to regret to Her Majesty the disturbance Mr. David Anderson, Professor of Divinity in her college of Old Aberdeen has met with in his office, and to express how much they are astonished and grieved that some of late have had the boldness to represent their ministers as disloyal and seditious, whereas on all occasions they maintain Her undoubted title and use their utmost endeavours to confirm the people in loyalty to her zeal for the Protestant Succession in the House of Hanover, and aversion to the Pretender, which they conceive to be the cause that in a late address from Fife the reasons of a fast appointed by the synod of that province containing becoming expressions of duty and loyalty and zeal to the Protestant Succession are so grossly misrepresented.

They must also crave leave deeply to regret the abounding error and profaneness notwithstanding the clear light of the Gospel and the many excellent laws and Her Majesty's proclamations to restrain them.

These being the heads of their grievances, they entreat that Her Majesty will appoint that the laws against popery and profaneness be executed with all vigour.

Signed W. Mitchell, moderator.

Docketed by Oxford Received May 21.

General Assembly of the Church of Scotland.

Address to the queen, representing the extraordinary growth of popery and bold and insolent traffic of popish priests and Jesuits in parts of the kingdom, and that not only by secret practices but by avowed keeping of mass meetings and houses and insulting of some of your ministers, and daring even to set up schools to the corrupting and poisoning of youth, and many other unaccountable attempts as in a popish country, to the great dishonour of God, the violation of your Majesty's good laws, the increase of disaffection to your royal government and the grief and disquiet of the hearts of your faithful subjects.

Complaining also of the disorders of some of the episcopal clergy who with a few of their abettors that have given as little affection to your Majesty's government as to the established church transgress your laws by preaching, tho' not qualified to your Majesty's government, by despising sentences of deprivation past by the Privy Council and of depositions by Church judicators, by invading settled churches, by intruding into vacant churches and by irregular baptizings and clandestine marriages and other gross abuses; and

Thirdly the abounding of immorality and profaneness notwithstanding the clear light of the Gospel which they enjoy and the many laudable laws made to restrain them.

Undated. Copy.

Petition of the same to the Lords of the Privy Council for redress of the grievances complained of in the above address, with a particular condescendence of the grievances as follows :—

Condescendence of grievances from the growth of popery, &c.

1. The state of several parishes in the Highlands and Western Islands is very deplorable by reason of hundreds of papists to be found there and six trafficking mass priests for five protestant ministers; in the presbyteries of Sky one Monro a banished priest returned with several others, one Nicolson a popish bishop hath been lately in those bounds and confirmed hundreds and they keep their Mass houses openly and within a short

distance of the protestant ministers ; and the heritors and others, resetters, are given up in List by the ministers of the said Synod with the names of the witnesses that can prove the points of this information.

2. The parishes of Crathie, Braemar, Tulloch, Glencairn, Chapel Garrioch and Forries in Aberdeenshire, and Muthill in Perthshire, are infested by trafficking priests, as priest Seaton, Gordon, Strachan *alias* Ramsay, Feurfoull, Leid, Innes, Leslie brother to count Leslie and Lesly *alias* Iley, Buechan *alias* Frazer, and Wilson and others, all trafficking in Aberdeen and Banff shires, and priest Drummond in the parish of Muthill, of which persons and their resetters, and their massing and baptizing of children and other popish practices there are particular accounts given in by the synod and ministers of Aberdeen and others.

3. In the parish of Belly there are open mass houses and popish priests, to whom about 400 papists do ordinarily resort every Lord's day and on their holy days.

4. At Strathbogie there is a public popish school where children are entertained gratis from several parts of the kingdom.

5. There are likewise particular accounts from other parts specially Kirkcudbright and Nithdale of many trafficking priests and papists and of their resetters and of their popish and superstitious practices ready to be laid before the privy council.

6. Even in the presbytery of Egr' there is a great increase of popery, professed papists teaching public schools and speaking against and seducing from the protestant religion and several young children are educated in the Romish religion ; all which can be particularly qualified and proven.

7. There are particular long lists given in and ready to be laid before the privy council of many persons in several parts of the kingdom, whereof some are apostates from the protestant religion, and the numbers and conditions of their children, and of their protestant relations, all set down to the effect the laws and acts of parliament may be executed against them, specially as to the education of their children.

Condescendence of grievances from the illegal attempts and disorders of the prelatical party.

1. Mr. John Wilson an episcopal minister in Orkney, deprived by the privy council, has invaded the church of Kirkwall in Orkney by possessing himself of the pulpit and exiled ane Mr. Thomas Bailie, the settled minsister ; and when Mr. Thomas required the assistance of the baillie of Kirkwall the same was refused.

2. The parish of Muthill is legally planted, yet one Mr. James Inglis late incumbent there, deprived by the privy council and deposed by the presbytery, presumes to exercise the ministerial function, prays for the king and royal family since her Majesty's accession, and goes to the church door to stop persons from

hearing their settled minister by threatening to cause their masters cast them out of their possessions. And when an elder of the parish opposed this illegal practice violence was offered. Mr. Inglis employed preachers uncapable by law to preach in the parish, as Mr. Andrew Sherrie, who prays expressly for the king and royal family, and Lander, a pretended preacher, who baptizes and marries tho' discharged by the presbytery.

3. Upon the death of Mr. James Foreman, one of the two ministers of Haddington, the presbytery appointed one of their number to the vacancy but he was opposed by a rabble encouraged by the magistrates and the surviving episcopal minister Mr. Dunbar possessed himself [of] the pulpit, contrary to his promise, to exclude their minister and when they offered to settle ane eldership for supplying that vacancy the pretended episcopal Eldershys met and added to their own number and drew up and subscribed a call to one Mr. Alexander Herriot, deposed by the synod of Lothian, and contrary to law and order presented a double of the call to the Moderator requiring the presbytery to collate him, and upon their refusal appealed to the Queen and parliament and they and Mr. Alexander Dunbar employ Mr. Herriot, tho' deposed, to preach in the Kirk.

4. In several parts, Angus and Mernes particularly, the kirk doors are shut and notwithstanding legal diligence used kept shut against the presbytery and ministers appointed by them to preach there at the kirks of Auchterhouse, Essie and Kincaldrum.

5. Mr. William Millar lately settled by the commission of the Assembly upon the call of the parish in the church of Meigle is excluded from his manse by ane episcopal minister who was never himself there, and he has turned it to a Meeting house.

6. Mr. Andrew Burnel, deprived by sentence of Parliament in 1695, nevertheless now sets up to preach in the Trinity Kirk at Aberdeen.

7. Mr. George Clerk, late incumbent at Chapel of Garrioch, albeit deposed by the synod of Aberdeen, still possesses the Kirk and preaches, baptizes, and marries, without regard to the sentence.

8. It were almost endless to enumerate how episcopal ministers marry persons clandestinely without witnesses and some antedate testimonials to cover uncleanness, others marry men to other men's wives, some marry persons within the forbidden degrees and others marry persons after proclamation of banns but to other parties.

9. In the shire of Dumbarton some episcopal ministers have lately taken upon them to meet as in a presbytery and there licence ministers, particularly one Mr. Andrew Graden, contrary to law.

Mr. Robert Raitt and Mr. Norry, both deprived by the Council and under bond not to preach in Dundee, have set up a Meeting house there. Mr. Alexander Strachan, deposed by the Synod of Angus, still preaches in the manse of his parish. Mr. John Auchterlonie, deprived by the Council, after having for some time kept a Meeting house in the parish of Aberlemno, hath now intruded in the church of that parish and excludes those sent by the presbytery.

They are also alarmed with the report of Addresses tending to the subversion of their Church Establishment. *Copy. Undated.*

W[illiam] Vetch to [the Earl of Oxford.]

1714, June 5. Edinburgh.—According to Dr. Hutton's directions, several years ago I took care to inform the ministers and others in the presbyteries of the West so as to remove the mistakes they had imbibed of the new ministry by some misrepresentations from above. It were tedious to tell your Lordship the arguments I used, a few whereof I hinted to my Lord Chancellor. I also proposed to your Lordship some years ago an antidote against the running trade which spoils all honest traders and the Queen's revenue upon our coast which is above 70 miles in length, vizt., to quarter 5 troops of horse in the 5 towns that are situate along that shore ; for seeing these lie somewhere, why not in these places, for their very being there might have done the business. And when Mr. Norman, one of Her Majesty's Commissioners for the Customs, came hither we took the next best measures. And since the noise of importing arms arose the Board wrote to our Custom House to see if there were any importation there but they write back to the Board there was no such thing here, all which testifies my care in that matter. I am of the mind that my Lord Oxford has thanked some that never did his Lordship so much service. I hear my son is come from Canada to settle the public accounts that he is concerned in and that the money was voted for paying the same at the last parliament, and seeing it lies much at your Lordship's door to clear him off let me in all humility supplicate your Lordship so to do and not expose him and his family to destruction : and your Lordship's petitioner shall ever pray that the All-Wise God may direct you to manage your arduous affairs as your Lordship may bring them to a happy issue for the glory of God and the prosperity both of the sacred and civil concerns of these lands. Hoping for a favourable answer I subscribe myself, etc.

Oxford's docket. Edinburgh. Mr. Vetch, June 5, 1714. Received June 14th.

Robert Sandelands, minister of Edinburgh, to the Lord High Treasurer.

Memorial. Whereas Mr. John Law, one of the ministers of Edinburgh, almoner to Her Majesty, is a dying or dead ; and the almonership is always given by Her Majesty to one of the ministers of this city: it is humbly begged by the said Mr. Robert Sandelands that Her Majesty would be graciously pleased to appoint him as almoner, he being amongst the first ministers there. *Undated.*

[The Earl of Mar] to the [Earl of Oxford.]

1712, May 15.—I had several letters last post from Pr. Carstares and Stirling both which agree that by the pains taken in the Committees on Wednesday and . . . the scruples relative to the O[ath of] Abjuration are considerably . . . . . so that a healing overture w[ill be] brought in for uniting all pa[rties.]

I also learn that there is a . . . . understanding betwixt my Lord [Commis]sioner and the Assembly. Perhaps your Lordship may have more particular accounts only I thought myself bound in duty to signify so much to your Lordship. *Imperfect.*

[The Same] to the [Same.]

1712, May 21. Whitehall.—The proceedings in the affair for some days past show plainly, in my humble opinion, that some people wait only an opportunity of declaring themselves of another side and of different measures from your Lordship. I protest I do not say this out of any ill will to any of them or with a design to do them hurt, but only so far as in me lies to support your Lordship in your great and good endeavours for the Queen's service. I will restrict myself in speaking only of those who are of the country I am, and 'tis because my acquaintance with them gives me an opportunity of knowing their inclinations with less disguise than possibly they show to your Lordship that makes me take this freedom.

The long delay of the business coming on for which they have waited all this while, and the appearance of yet a further delay, makes them all so extremely weary of attending, that as several of them are gone home already several others are now positively resolved to leave this place the beginning of the next week. Earl Eglinton and Earl Northesk are of this number, and they both want mightily to speak with your Lordship before they go. Lord Haddo is also a going and wants as much as they to speak with you. They being all three of the commission of Chamberlainrie or Trade long to know your Lordship's pleasure about that affair, both what is expected of them to do, and also what appointments your Lordship intends for them. Sir Hugh Paterson, another member of it, goes also next week, but I judge those of the House of Commons will not be much wanted here. I find some of them have got it in their head that your Lordship is to make a distinction of salaries in that commission, as the first of the Commission more than the other Lords, and the Lords more than gentlemen. Lord Haddo mentioned this to me and said he was indifferent what the appointments were, but he hoped that though he was not a peer (his father being alive) yet your Lordship would not neglect him so far (as he called it) to put him in a lower class than others. You know my Lord Northesk's story, so I'll give you little trouble about it, but his having nothing of the government ever since the Union makes him think himself hardly used; and I believe he is in great difficulties and straits by his attending here several sessions, his own fortune being not great. Unless your Lordship do for him otherways and over and above what he will have by being of the Chamberlainrie, I believe it will not be possible for him to come here again, beside your losing his service there by his being out of humour, thinking himself neglected, and it were pity to lose him, he being an honest man and capable to be made of use. His circumstances make it impossible for him to stay here any longer now, and if your Lordship do not allow him and the rest of them to speak to you before they go, they will despair of their being taken any care of, and that will make them impracticable in any business that is to be done in Scotland.

Earl Rosebery is mighty anxious to have that affair of which I spoke to your Lordship some days ago despatched. He apprehends that one whom your Lordship is to refer it to is against it, and this increases his uneasiness.

If being firm and steady in business these two sessions deserve any consideration, sure the Viscount of Kilsyth's behaviour does, and particularly in this last affair, wherein, as I have reason to believe, he resisted no small temptation, even above what he can probably expect any other way. I told your Lordship what he proposes for himself and probably whoever gets this vacancy will make the vacancy of another post of the same degree, which, if your Lordship think fit, would provide Kilsyth in his own way and to his liking; but if you do not approve of this I hope you will think of some other way of providing him, and if it be not at the same time the other post is disposed of, he will be very apt to conclude it is not to be done at all. He was the first of them who came up here this sessions and when others declined it; he will now stay as long as there is occasion for him, but if he go home, and nothing done for him, others will not be forward in following the ways he has done. He trusts entirely to your Lordship so I'll trouble you no more about him.

The Earl of Strathmore is lately dead, which is really a loss to us, for he was a very honest, firm, man. Your Lordship knows that you designed him for General of the Mint at Edinburgh when Lord Balmerino was made of the Chamberlainrie. His death makes now room for another. Lord James Murray, the Duke of Athole's brother, puts in for it, as he tells me he was to speak to your Lordship; he is a very worthy man and deserves it very well, but your Lordship marked him down last year for quarter master general there, which a man of no great consideration still enjoys. If your Lordship still be of the opinion that Lord James should have this post, it would be better to him than the other he now puts in for; and that might serve one of the peers whom otherways something else must be done for, and that of General of the Mint has mostly, if not always, been in the hands of a nobleman.

The Earl of Glencairn is one of those whom Your Lordship thought reasonable should be done for; he has long pretended to the Castle of Dunbarton which lies at his door and which his father had, but Lord Ilay's having that made his friends backward in speaking of it. Your Lordship knows there was a pension promised him; I have letters from him frequently about this. Those in different measures from us take great pains about him, and endeavour all they can to persuade him he is neglected by those he joined with at last elections, and if something be not done for him now they will certainly get him into their measures. If Lord James Murray be provided with the other post, this of General of the Mint would do very well for the Earl of Glencairn, the " sellarie ' of it being the same with the pension that was promised to him; but this with submission to your Lordship's better judgment. He is indeed my cousin, but I assure you it is more with a view to the Queen's service than providing a friend of mine that I recommend him.

The Earl of Lithgow's (*sic*) affair of Blackness Castle has been so often promised him and still put off or delayed that I am almost ashamed to mention it; but unless it be now made effectual to him he will think that he has no friends here, and will probably take measures and join with the other side.

The Earl Marischall is now so ill that he cannot live many days, and this will make a vacancy in the sixteen Scots peers, and the law requires a proclamation to be immediately issued for a new election. I leave it to your Lordship to consider the consequence that a meeting of those peers may be of at this time without something being previously done to rectify the grievance they complain of. I wish your Lordship would also think of the person you incline to have chosen. Earl Lithgow was the man I thought you wished, had there been an election last year, and with submission I still think he's the properest man. Earl Dundonald put in for it then, but he is now abroad and so in a manner off the field. There will be several other pretenders to it, and if there be not timely measures taken for whom you wish to carry it, there will be great difficulty and trouble in it and very probably a certain man may carry it who I believe would not be very agreeable to you nor those who wish you well; so there is no time to be lost in this.

Everything being delayed, as it was believed, till after the peace, was some excuse, and kept people from despairing entirely that no Scots business was done. If the peace still come before this session be over, that same excuse may in some measure hold out, but if it be not to come on this session and no course be taken now in these affairs, with great submission and regard to your Lordship's judgment, I may venture to say that the consequences of it will in all probability be very much contrary to your Lordship's interest in the Queen's service. People will be so soured with delays and expectations and still seeing those who have acted another part, and opposed, continued as they were, that most of those of that country will not attend next sessions; and those who do come, it will be to join with those who oppose the Queen, and your Lordship's measures, as some people laboured all they could to bring about even this last winter, though they failed of their aim. And if things still continue as they have yet done, those who opposed these designs will certainly lose all their interest and be laughed at for what they did.

I have always avoided speaking to your Lordship of the neglect my countrymen thought there has been of Scots men and Scots business particularly this twelve month 'by-past,' in case I should have been judged to do it upon some selfish view for my own interest, nor would I so much as mention it now, were it not that I see plainly if your Lordship do not take some course with those things the Queen and your Lordship's interest will suffer in that country, and those who oppose you, and others who wish for an opportunity of doing so, will get the better there.

If my zeal for the Queen and your Lordship's interest have made me say anything here which I ought not, I hope you'll pardon it, since it is said with a good intention.

Allow me to put you in mind of George McKenzie whom you marked down last year as fit to be of the Customs or failing of that in some other post. I believe Lord Dupplin has mentioned him to your Lordship several times since. He is now gone down which makes me the rather speak for him since he is not here to do it for himself. He is a very honest man and capable of that or any other proper post there. It is not far now to new elections and if those who were serviceable in the last be not minded and something done for them, we will come but ill speed in the next and your Lordship knows there has been but little of that kind done as yet.

I spoke to you some time ago of one Doctor McKenzie who has a debt due to him by the Crown and since there is not at this time a fund for his payment I proposed that the Queen make him one of her physicians there in room of one Isit who is good for little. This would be a mighty compliment to Pitcairn whose disciple McKenzie is. When I spoke of it to the Queen she desired me to give the memorial to Mr. St. John, which I did, and he tells me that she scrupled to him, as she had done to me, to turn out any of those who are now her physicians there, but inclined rather to make McKenzie a third physician. I should like this very well but I'm afraid your Lordship will not incline to give an additional salary. If your Lordship please to speak to the Queen of it and get it done, I should be very glad of it that he might go down well pleased to Pitcairn and the man can now wait here no longer for it.

If your Lordship ever read this far in this, it is more than I can expect but I did not design it so long by the half when I begun. *Unsigned.*

P.S.—I must add one word more in putting you in mind of one I begged 50*l.* for, who is very poor but has been very useful in keeping several folks right in the business of the Parliament and will still be so, having great interest with those kind of people.

BARON SCROPE to [the EARL of OXFORD.]

1712, May 27.—In obedience to your Lordship's commands I trouble you with the heads of the Commission of Trade in Scotland which may be made useful to that country, if the Commissioners will content themselves with inquiring into the several branches of trade, the improving the manufactures, employing the poor, and encouraging the fishery. But though they are convinced that the Chamberlain's power can't be extended so far as was at first desired yet I believe the Commissioners expect to have some explanation of that power by the instructions, and have great inclination to be inquiring into the common good of the Boroughs.

My Lord, as to the hindering the importation of Irish victual, if you could at any time spare a few moments to inspect the map of the coast and to have a state of that affair laid before you 'tis probable your Lordship would think it more convenient to keep that business under your own conduct than to leave it to the care of the present Commissioners of Trade, whose sentiments perhaps are not agreeable to the west country from whence that mischief comes. I hope your Lordship will pardon this freedom.

Enclosure. Heads of the Commission of Trade in Scotland. The Commissioners are thereby appointed for the purposes following, (vizt.) :—

1st. They are to execute the office of High Chamberlain,

2dly. They are to examine into the present state and condition of the general and particular trades to foreign parts, and how the same may be improved.

3dly. They are to inquire what useful manufactures are erected and settled and how they may be further improved, and what new manufactures may be introduced.

4thly. They are to inquire how the 2,000*l.* *per annum* which by the Treaty of Union was to be applied towards the manufactures of coarse wool may be best disposed of; and how the poor may be best employed.

5thly. They are to consider of the best and most effectual means to encourage the fishing on that coast.

6thly. They are to inquire into what naval stores may be furnished from thence for the use of the royal navy and what encouragement will be fit to be allowed for the same.

7thly. They are to inquire what exemptions any persons pretend to from the payment of customs, excise, or other duties, and whether such are consistent with the Trade of the whole United Kingdom; and, if not, what means may be found out and at the least expense for annulling the same or avoiding the inconveniences that may happen thereby.

Docketed by Oxford Received May 27, 1712.

The Earl of Mar to [the Earl of Oxford.]

1712, May 28.—I presume to acquaint your lordship of a conversation I had the other day with my Lord Pembroke. If you have not before known of the thing we were talking of, I presume the discovery will not be unacceptable to you. He says in King Charles's time there was an address from Scotland desiring the Records of that country which were taken away by Oliver might be restored, and upon this there were some Lords appointed to look them out, which was done; and these Records were put up in hogsheads and sent for Scotland in two ships, one of which was lost in going there, which was a mighty loss to our country: but that by the bye! He says when those Lords were looking out for those Records they found a large chest, and upon opening it they found a catalogue of the things in it, which are the Records brought by Edward the Second from Scotland, and which the historians since that time both of Scotland and England thought to have been destroyed by that Prince. He thinks they had never been opened from their being brought up till that time, and the address from Scotland being only for the Records taken away by Oliver, they were shut up again and are still in the same place and in the same condition. This place I suppose is in the Tower, but he did not tell me it was so, and since he did not of himself I was unwilling to ask in case he avoided telling.

My Lord is mighty fond of this thing and thinks there may be great discoveries made out of them were they looked into carefully by people knowing in those matters. The latest of those papers or records must be in that King Edward's time and it is very probable there may be exceeding old things amongst them by which his Lordship expects mighty discoveries of the Celticks and Druids. My Lord said he wished the Queen would be pleased to appoint two Englishmen and two Scots who are conversant in those matters to inspect them and to publish what they should find worth the while, and those he mentioned for the English were Mr. Rimer (*sic.*) and the Bishop of Carlisle. [William Nicolson]. He thinks this a mighty treasure and that great helps to learning may be had from them, particularly some insight into the character that was used in this country, which J. Caesar speaks of to be something alike to the Greek.

Your Lordship both by your knowledge and station is the fittest judge what may be made of this thing, and if it in any measure answer what his Lordship expects of it it will be a thing worthy of you to make it useful to the public. Were there anything to be done at this time about it, Mr. Anderson, whom I introduced to your Lordship some time ago, I believe would be a very fit person to join with the two Lord Pembroke named, or who else your Lordship should think fit for that work.

I ask pardon for this long letter, but your Lordship's knowledge and great curiosity in those things made me hope you would pardon it, though even in the throng of your great affairs. *Unsigned.*

Postscript.—Since writing I heard by accident that this chest with these records is in the Exchequer Chamber and not in the Tower.

The Same to the Same.

1712, June 3. Tuesday morning.—I am informed by a good hand that the Duke of A[rgyll] and his brother have proposed to the Duke of Hamilton that person of whom Dupplin spoke to your Lordship to succeed Earl Marischall. Duke Hamilton said he would be for anybody the Queen pleased. The two brothers have no suspicion of her inclining for that person, but the other Duke has. I doubt not but the Duke of Argyll will be very quickly with the Queen about this, and if the Queen let her inclinations in the least appear for that man, there will hardly be any retrieving of it, which is the reason of my giving your Lordship this trouble, that you may take what measures you judge proper upon it. The more I think of that person's being the man the greater inconveniences I see in it, both at present and for time coming, but your Lordship can judge best of this, so I'll say no more of it; only if Duke Hamilton be not some way provided for at this time, and soon too, I see plainly he will join with these two brothers in this affair and everything else, and if they do they will go fair to carry who they have a mind to; and that will lay such a foundation for the next election, or anything that is to be done there in relation to the peers, that it will be very difficult to get anything done but what they please. Duke Hamilton will certainly refuse going to Vienna, which I suppose your Lordship knows.

Earl Rosebery tells me he has given your Lordship a new proposition in relation to his affair, wherein he proposes that your Lordship would be pleased to turn his former pension of 158*l.* into an additional salary, and that makes his whole salary 478*l.* Your Lordship may remember that last year when I sent you his two papers I told you in my letter that there was one Sir John Malcome who had claim to this office of Chamberlain of Fife (as we call it), whose salary by his commission was about 80*l.* At that time Rosebery was contented in case any of those two papers were passed for him to give Sir John Malcome an 'oblishment' to pay him 80*l.* a year during his life, which was the time he had his commission for. If your

Lordship please now, by the way he proposes, to make his salary 500*l.* he is still content to give this 'oblishment' to Sir John, and the 500*l.* is but 22*l.* more than his old salary and pension together, which he now desires to be made all salary. Sir John Malcome is a member of parliament and was very useful in the election of that shire. He and his brother were here last session and your Lordship was pleased to say you would do something for him, and I'm sure there cannot be an easier way than this.

I promised Lord Rosebery to let your Lordship know this proposal of his as to Sir John. Your Lordship knows Lord Rosebery so well that I know I need say nothing in his favour, and I have troubled you too long already. *Unsigned.*

Postscript. Since writing Lord Dupplin tells me I'm to have the honour of dining with your Lordship to-day. I was engaged with ladies, but I'll certainly wait on your Lordship.

[The SAME to the SAME.]

1712, June 4.—Your Lordship desiring me yesterday to think of the proper person to be elected in place of Earl Marischal, and with what I perceived by the Queen's way of speaking, I suppose the person I formerly named to your Lordship is not acceptable to her. I am very sorry for it upon several accounts. Those people whom I take to be most your servants of that country would have centred most in him, I believe he would have been very firm to your Lordship's interest. He having been spoken of for it last year, the disappointment now will be a kind of disobligation to him and all that set of people; but if the Queen do not incline for him, and, by that, there be any danger of her recommending or even wishing that other person we mentioned, and so leaving it to people to do as they please, these inconveniences must be dispensed with and we must make the best excuse to that first person we can.

I have looked over the list of our peers upon this view and in my humble opinion the Earl of Weems will be the fittest, if he would set up for it, which I fancy he will easily be persuaded to do if he once know your Lordship inclines for him. I know he always had a great respect for your Lordship, and I'm persuaded will be very firm to your interest. The Queen knows him and I believe he stands well enough in her favour, both from the part he acted when formerly here and his being one of the Prince's servants who had a kindness for him. He is already provided and so will occasion no new expense. He was with us in Sacheverell's affair and so ought to be acceptable to people here whom your Lordship makes use of. All these considerations make me think he is the properest person and the most likely to be acceptable to the Queen and to put her by the thoughts of the other whom I apprehend she inclines for; and I'm sure that person would not be for her service at this time.

I need not say anything of the Earl of Morton for I find the Queen does not incline for him. The two next I can think of are the Earl of Galloway and the Earl of Dunmore, but upon this occasion I think Weems preferable to any of them. If your Lordship be of this opinion and get the Queen into it, it will be necessary that he be wrote to soon, and that other measures be taken for making him succeed and at the same time I wish Lord Lithgow's commission may be passed and somebody appointed by the Queen to write to him as to the election.

I beg your Lordship may think of providing the Duke of Hamilton, he is really I think run out to the last and can hold out no longer; and when he comes to hear of that person's having this new favour of which your Lordship was pleased to tell me yesterday, and he not provided for at the same time, it will be a new mortification to him.

I have not yet heard anybody speak of this last thing your Lordship told me, and I'll speak of it to nobody till I hear of it otherways. I hope your grand affair of the peace will now be soon over. Were it possible to set the affair of the Scots' peers right immediately after it, the advantage would not be small, in my humble opinion, to the Queen's affairs, but your Lordship is the best judge of this. *Unsigned.*

P.S.—I had just now the enclosed (*missing*) from poor Douglas which I ask pardon for sending you, fancying you will not be in the House to-day where I might have spoke of it.

Sir James Stewart to [the Earl of Oxford.]

1712, June 7. Edinburgh.—About March last being required by Mr. Secretary St. John to send up a plan to be laid before Her Majesty whereby the import of victual from Ireland, the great prejudice of this country, may be most effectually restrained I sent up a Memorial to that purpose adjusted at the sight of the counties principally concerned—one double thereof to your Lordship and another to the Secretary,—but there is as yet no return though much longed for: and therefore I must entreat your Lordship that the matter may be considered for the thing is truly much valuable above all the expense.

My Lord, there is an unhappy rupture fallen out in Orkney betwixt some of the ministers and some of the Justices of the Peace there. The Justices did first provoke by treating some of the ministers very unworthily as thieves and rogues which moved them to raise criminal letters against these Justices before the Court of Justiciary at Edinburgh. And this has provoked the Justices to raise letters of recrimination against four of these ministers libelling them as guilty of the grossest immoralities and scandals which most think to be truly calumnious, but the evil is that Orkney is remote and we want a Council to whose care these remote parts particularly belonged and our Circuits go not that length so that I am told by Her

Majesty's officers in these parts that that whole country is greatly disturbed and in a great ferment for it may bring many both parties and witnesses to Edinburgh and they are like to return rather in a worse mind. I have endeavoured to suppress this contest but I must be free to tell your Lordship that some of the Justices are truly high and unreasonable and the ministers on the other hand judging their Ministry and credit concerned do press for a trial and vindication. But what I have to suggest to your Lordship here is that Orkney and Shetland known to be the Queen's property were not of old put under Justices of Peace but left to the Queen's steward who had his Baillies in every parish and kept all in good order, but now that they have got justices, named, I must say, with very little choice and several of them too disaffected, and the country being so remote beyond the extent of our circuits and we having no Council in Scotland, I must say it might possibly do better that there were no Justices of Peace in Orkney and Shetland. But, if this cannot be, my most earnest and humble desire to your Lordship is, that there may be a review of the Justices named for these parts and that at least we may have a better set for the peace of the country and the honour of Her Majesty's Government, and the sooner the better as I hope the Earl of Mortoun will concur with me in this matter.

My Lord, there is also fallen out at Elgin an unlucky contest. The town hath two legal ministers and they have two churches, a bigger and a lesser, belonging both to the parish. The Provost and some of the Baillies are of the Episcopal Communion and having the authority, as they suppose, of the late Act of Toleration they for the more solemn remembrance of the 29th of May called for the keys of the little Church and took possession of it on that day notwithstanding that the ministers and others of the parish protested against it and this being so contrary to law and so much to the disturbance of that place I could not refuse to give out Criminal Letters against the magistrates for this intrusion. But I have withal prayed them to desist that the criminal process may stop.

My Lord of these things I have presumed to acquaint your Lordship and what return your Lordship shall give shall be punctually observed by, Yours &c. Ja. Steuart.

Oxford's Docket Lord Advocate. Received June 13.

[The Earl of Mar] to [the Earl of Oxford.]

1712, June 16. Monday night.—Since I came to town to-day I am told and in such a way that I believe there is something in it, that the Queen has promised to the Duke of Hamilton that in case of our Lord of Sessions' death which is daily expected, he shall have the recommending one in his place, and that it has been insinuated to him that the man he formerly recommended to that post Mr. Hamilton of Pancaitland is not acceptable and that he had best think of another. Your

Lordship knows that I have recommended nobody to this post and unless it be what Lord Balmerino for his son and Mr. Carnegie for himself desired me to say to your Lordship as their friend I have no particular concern in it ; but its being a thing our country is so much interested in, I could not keep myself from writing to your Lordship on it, and I beg you may forgive me for the trouble.

I am very far from envying the Duke of Hamilton of this favour or any else the Queen pleases to confer on him or any of his people, but I am apprehensive of his naming one of two people to this post upon finding Pancaitland is not acceptable to the Queen nor your Lordship, and indeed he was thought fit for it by nobody but himself, who had a better opinion of him than others had, as I am afraid he has of the two men whom I am now to mention. The one is Mr. Graham our Judge Admiral and the other Mr. Hamiltoun of Sincerff who is his mother's Sheriff Depute of Clidesdale. I do not like to give character of people nor would I say anything against them in this particular, if it were not my real concern for the good of our country and my believing them upon many reasons, which I shall tell your Lordship, if needfull, of their being as little fit for that post as the other he formerly recommended. I have no particular man to propose for it and only wish a fit man may have it, recommend him who will. If your Lordship will be pleased to inform yourself at impartial people who know those two men I believe you will find them of my opinion, so I wish the Duke may find, if he recommends any of them, that your Lordship knows their character and that you do not relish them and I hope then he will think of some other who may be fitter. I protest I do not say this out of prejudice to them or the Duke of Hamilton nor have I any view in it.

This Lord of Session who is a dying, is also a Lord of Justiciary and to be sure whoever has the recommending one to that of the Session will also ask that of the Justiciary at the same time. I think I had formerly occasion of speaking to your Lordship on this subject as I also did to the Queen, and only now beg leave to put your Lordship in mind of it. The Lord of Justiciary must be made by the law of the Lords of Session but it seems reasonable to me that the Queen should not give both these posts to one man at the same time, for until a man be tried in the Session and by that it be known what kind of a judge he makes, it is not so safe trusting him on the Justiciary where men's lives are concerned as trusting one who has been for some time on the Session and known. Then giving these posts to two men is obliging two and the other way obliges but one. Now after what I have said I fancy your Lordship will be expecting I have somebody to recommend to that of the justiciary, but I will not and I only desire that your Lordship will inform yourself which of the Lords of Session is fittest for it and let him have it be he who he will.

The first of the two men above is a creature of the President's and will be entirely governed by him save where the Duke is particularly concerned and the other had a censure passed on him for malversation in his office of Sheriff's Deputy. *Unsigned.*

SIR JAMES STEWART to [the EARL of OXFORD.]

[1712, June.]—According to the confidence that I presume in your Lordship's friendship I must in few words acquaint you that the Lord Blairhall, one of our Lords of Session and Justiciary, is dead and nothing can be of greater concern to this country than to have such vacancies well supplied. And this I truly desire in the first place with all sincerity but because it is also very natural for every man to do for his own and that I suppose my son Sir James is known to your Lordship and I also believe generally looked upon as a person of probity and sufficiency I cannot but recommend him to your Lordship's favour with all the assurance I can give that he may be both a faithful servant to Her Majesty and your Lordship and acceptable to this country: only if your Lordship be pre-engaged or find greater difficulties than I imagine in this matter I beg your Lordship it may be silently let fall: and if I may presume a little further I would in the next place with all submission recommend James Hamiltoun of Pancaitland,one of the principal Clerks of Session, as a person whose probity, sufficiency, and piety, is beyond exception. But my lord I hope there shall be nothing suddenly concluded in this matter for there is time enough betwixt [this] and the first of November for a full trial and I hope God shall always direct Her Majesty to what may be most for His glory and the good of her people.

Oxford's Docket Lord Advocate without date. Received June 24, 1712.

W. COCHRAN to [the EARL of OXFORD.]

1712, July 17. London.—My Lord, I was this day surprised when I went to Mr. How's office to call for my money for foraging the troops in North Britain, as your Lordship was yesterday pleased to order me to do, to find that my money was not to be given me because Mr. Mirrell had not demanded it of your Lordship with the subsistence, though I had in the middle of June given in my claim and the vouchers which no doubt your Lordship would have complied with but it seems I am not in Mr. Mirrell's favour.

I hope your Lordship will forgive me for presuming to mind you that the Duke of Ormond's proxy, as Lord Dingwall's, the Earls of Orknay and Dunmore, the Lords Oliphant's, Forrester's and Torpichens, now in the army, be at Edinburgh at the ensuing election for a peer; and also all those residing here in England whether English or Scots men; though [I] am sure the

Earl of Linlithgow will not oppose Her Majesty's desire, yet others may. Nothing but my duty to Her Majesty and your Lordship makes me trouble you with this.

Notwithstanding the Earl of Dundonald's and my own private businesses calls me necessary home, yet I shall patiently wait your Lordship's commands and ever obey them. But allow me, if I be to forage the troops in North Britain this year, to intreat your Lordship to cause exped[ite] the contracts as in my memorial offered.

The Rev. W. Carstares to the Earl of Oxford.

1712, June 17. Edinburgh.—Has had a letter from Mr. Blackwell which gives an indirect insinuation of his Lordship having had regard to what Carstares represented for which he returns thankful acknowledgements. Has such an opinion of young Sir James Stuart and he has such an advantageous character here that now there is a vacancy in the Session by the death of Lord Blairhall he cannot but mention that his promotion to the vacant gown would be acceptable to many here.

Oxford's docket Received June 23.

The Rev. W. Carstares to [the Earl of Oxford.]

1712, June 28. Edinburgh.—Thanks him for his very obliging letter by Mr. Blackwell. We have here such representations of affairs as would make a man melancholy if he did believe them ; but incredulity prevents my being much moved with them, and I satisfy myself with a persuasion that neither the quiet of Her Majesty's government nor the security of the interest of the Revolution and the Protestant succession as established by law are in so great danger as some reports would make us imagine that they are.

I do confess that some of our Jacobites manage themselves very foolishly, and the many disappointments they have had of their hopes give but little cure to their indiscreet vain boastings.

If it might not be displeasing to your Lordship I would take the liberty to put you in mind of the expediency of determining the way how vacancies of churches of her Majesty's presentation are to be ordered. I remember your Lordship was speaking of a commission to present ministers in her Majesty's name to vacancies, and I heartily wish that such a thing were well adjusted according to what I know was your kind design in it.

The Rev. John Stirling to the Earl of Oxford.

1712, June 30. Glasgow.—Returns thanks for his [letter] which came by Mr. Blackwell. God make his Lordship an happy instrument of giving effectual redress with respect to those things which have raised jealousies and made the minds of many in this country very uneasy.

The Rev. W. CARSTARES to [the EARL of OXFORD.]

1712, August 19. Edinburgh.—The Oath of Abjuration hath so many nice objections made against it that the ministers are not like to be unanimous in this matter, and the common people, particularly in some places in the west and south of this country, are possessed with such prejudices against it, that if their ministers should take the Oath they would desert them as unfaithful, which will, I am afraid, make not a few forbear to take it that otherwise would have no scruple to do it.

The hopes that some have that the Government will connive at the refusers of the Oath, which I heartily wish may be found to be true; the aversion to the Union that is amongst others, though I am convinced our Church would have suffered more from a Parliament of our own than yet they have done, while yet I am heartily sorry for what hath occurred that is uneasy to us; the reports that are spread abroad as if there were a design to bring in the Pretender; the inadvertence of some ministers in bringing the affair of the Oath into the pulpit and thus engaging the people in a zeal against what they do not understand; and the opinion that some few have that the Union is dissolved by the Act of Toleration, by which the Oath is imposed, and by the restoration of patronages—these things, I say, create no small perplexities and are liable to divide us in our practice as to the Oath, and, I am afraid, to cool too our mutual love that we owe to one another.

The restoring of patronages is like to be attended with many inconveniences, for I am sorry to have any occasion to say what is too true, that many of our countrymen that are not for the present constitution of our Church do little know what it is to act with any moderation and temper, and there hath been scarce ever any legally established church so rudely treated as ours is by this sort of men. But I must own that I am very sensible that your Lordship cannot but be in a strait with whom to consult about our affairs, we are so divided and so set upon our particular interests, yet it would not be impracticable to bring us to rights, if public affairs were once brought to such a settlement that neither particular persons nor parties might make a present pinch a handle for a peremptory insisting upon their several demands. But may I not with all humility suggest that in the present juncture her Majesty's patronages might for this time through connivance be suffered to fall into the hands of the Presbyterians *jure devoluto.*

JO. SYME to the LORD TREASURER.

1712, August 21. London.—The Queen's Majesty having lately made a gift of 210*l.* to the University of St. Andrew's, and the partition of it among the several masters being very unequal through want of due information of the state of that University, it is humbly represented to your Lordship by the

Hebrew Professor in that Society now on this place, that thereby his case may seem the most discouraging of all, for were his share of the late King's gift out of the Bishoprics withdrawn he shall not have half maintenance, besides other encroachments made on him in the Divinity College of that University that have made his profession there almost precarious, where it may be thought absolutely necessary, and he has the first title of being a founded person and master. All which hardships, it is hoped, your Lordship, out of your great wisdom and tender concern and care of learning, especially this useful branch of it, will readily redress. And your Lordship thus interposing and appearing will undoubtedly prevent the bad effects of injustice and oppression in that ancient seat of learning, procure peace and unity and promote the regular and profitable instruction of youth therein. And for such an instance of true noble charity all good honest men will incessantly pray that your Lordship may long be preserved as a signal public blessing of Her Majesty's Government, and this surely in particular shall be the daily hearty prayer of &c.

The Rev. W. Carstares to ———.

1712, August 23. Edinburgh.—Sir, I have a true sense of your kindness to me when at London as well as of your concern for the quiet of our Established Church and of your country, and of your honest and undisguised appearing for both, and I have not been wanting in doing you justice here as to your conduct, and I had been ingrate if I had been defective in doing thus. I now take the liberty to acquaint you with some of our circumstances that as you have occasion you may mind the noble person of them whom I know you sometimes wait upon and who is the only person about Court I rely upon.

The carriage of the justices of the peace in Angus as it is unaccountable and precipitant so it is such as seems to be calculated to tempt us to do something irregular that they may represent as disrespectful to Her Majesty's Government but hitherto they have been disappointed and, I hope, shall still be so, and some of us shall omit nothing to contribute to their being so and let Her Majesty see that no contrivances of our enemies shall make us forget our duty. I shall not justify any indiscretions in causes of Fasts appointed by Synods. I heartily wish that sometimes they were ordered otherwise but no doubt it may be the wisdom of the government sometimes to overlook these things, especially when it is known that there is no disloyalty at the bottom but indiscreet zeal in otherwise good men and loyal subjects. But for justices of the peace to burn publicly at the Cross of Montrose an act of a Church judicature established by law appointing a fast and that upon the very day appointed for fasting seems to be at least a very great stretch of their authority and it may justly be thought that men acting reasonably and having concern for the public peace would have delayed to act in a matter of such importance till they had directions from a higher judicature or had known the thoughts of those that are at the helm of the government and know her Majesty's pleasure. But then, which is yet worse, for the three justices that first begun this odd procedure at Montrose to have such influence as to persuade a meeting of the justices of the county of Angus to order that the mentioned Act of the Synod for the Fast should be burned upon the Lord's Day at the door of every church within the bounds of the county, with threatening to put all the ministers in the Porteous Roll for sedition, doth so alarm many that I believe my Lord Advocate designs to lay the matter before my Lord Treasurer and I am earnestly desired by some to take notice of it to his Lordship too, at which I have reason to be persuaded his Lordship will not be displeased. I cannot but tell you that this unusual acting of some men proceeds from the confidence they have that it shall not be in the power of the ministry to hinder or give a check to their procedure while they expect that the House of Commons will not only commend their zeal but go further against us than they have done, in which I both heartily wish and hope they may be disappointed.

Neither the Commission of the General Assembly nor the Synod of Lothian have appointed hitherto a fast which hath been industriously deviced lest there should have been a disagreement in laying down the causes of it. We are not like to be unanimous as to the taking the Oath of Abjuration, which I am heartily sorry for. The bringing of this affair into the pulpit by some ministers that were not clear to take it hath occasioned such a zeal amongst many of the people in some places against it, though they neither understand the matter nor are called to be concerned in it, as is like to create us a great deal of trouble and oblige some ministers that have no scruple at the oath to forbear to take it lest they should be almost entirely deserted by their people. The business of patronages is also like to be attended with great difficulties but it is hoped her Majesty in her great goodness will as to her's make this affair as easy as may be by laying down some general rule without leaving herself to have the constant trouble of solicitations from particular great men for presentations to vacant churches.

I have taken the liberty to lay these things before you that you may improve them with your noble friend as you shall have opportunity for the public good for it is not to be thought that when he hath such a load upon him of important affairs he can always employ his thoughts about our remoter matters. I know that, except to him and your kind landlord Mr. Cunningham you will not think fit to take notice of my name as to what I write to you of. I have by the enclosed only paid my respects to Mr. Cunningham and left him to you for further information. Pardon this tedious letter.

P.S.—I had almost forgotten to give you an instance of the designs of enemies to our church to give us all the vexation they can without any regard to the Act of Toleration itself. A young man was cited before our presbytery here in Edinburgh several weeks ago for fornication and last Wednesday sent an agent or attorney as his proxy. We according to our rules refusing to admit a proxy, he immediately appeared and gave our clerk one of our Courant which had the Act of Toleration in it and a paper of which I send you a copy and confidently told us that he had an absolution of the Church of England and would answer none of our questions and so went out.

SIR JAMES STEUART, Lord Advocate, to [the EARL of OXFORD.]

1712, August 26. Edinburgh.—Fort William at Inverlochy hath been found since the Revolution to be a very useful and necessary garrison, which hath moved the Government to lay out great expense upon it, and yet to this hour her Majesty has no right to the ground either of the fort or of the burgh of Inverlochy that supports it; but the Duke of Gordon claiming it still as his property, and his son the Marquis of Huntly having of late visited it in the Highland fashion with a good retinue, both Lieut-General Maitland, the Governor, and other officers in these parts have desired me to send you the enclosed memorial [*missing*] that something may be done both for ascertaining Her Majesty's right to the principal fort and for repairing the outposts belonging to it, if they still shall be judged necessary as they are supposed to be for the advantage of her Majesty's service.

SIR JAMES STUART to [the EARL of OXFORD.]

1712, August 26. Edinburgh.—You may hear too frequently of disorders amongst us and the disorder now complained of was thought at first to be so irreligious and insolent that those concerned hoped that all sober persons would more detest such practices. But since the authors do rather grow bolder and are indeed like to occasion much trouble and confusion I must take leave at the desire of the Ministers and others my informers to lay the case shortly before your Lordship.

The Provincial Synod of Angus and Mearns met at Dundee the first of July last thought fit in pursuance of a recommendation from the Assembly of this Church and in conscience of their duty to appoint a day of fasting and humiliation to be kept within their bounds for the reasons contained in their Act whereof I send your Lordship the enclosed copy. But when this day came to be kept upon the ninth of July as appointed three justices of Peace, to wit, Mr. Scot of Logie younger, Colonel Stratoun and Provost Miln of Monross thought fit at twelve o'clock in the forenoon, as the people of Monross were coming out of church from the observance of the fast, to cause burn the Act and Causes thereof with great solemnity and beating of drums at the Mercat Cross of Monross which at first appeared to be such a daring contempt of all religion that even those of that party did disown it. But these justices going on in their way moved the matter again in a greater meeting of the justices and got the meeting to condemn the Act of the Synod and to appoint it to be burnt at the doors of several parish churches within their bounds where the fast had been observed and farther to resolve to call the ministers the members of the Synod to answer before them for appointing and observing this fast, which hath so alarmed the Brethren that they are thinking to address her Majesty upon this account.

My Lord, I have presumed to send the very Act of the Synod because albeit it may be liable to the exceptions of some yet it contains so many sad truths and expressed in such a manner as few can think the justices of Peace should have meddled in it as they have done and far less that they should take upon them to judge in ecclesiastical matters and to censure ministers and ecclesiastical persons in such a manner. And in effect the resentment thereof is generally such as an Address to Her Majesty upon it can hardly be prevented unless the authors be in some sort discountenanced as it is hoped they shall be and I must humbly leave to your Lordship's better judgement.

I know your Lordship may also hear of excesses on the other side and particularly of great field conventicles kept by one Mr. Millar, a wild weak Presbyterian minister and of extraordinary practices in these meetings, but this is a folly that sober men have long regretted and I am also hopeful that now at length it may correct itself.

The Revd. W. CARSTARES, WILLIAM MITCHELL AND WILLIAM HAMILTON to the EARL of OXFORD.

1712, August 26. Edinburgh. Letter in support of the above.

The Revd. W. CARSTARES to [the EARL of OXFORD.]

1712, September 27. Edinburgh.—There is one of the Professors of Divinity at St. Andrew's dead and the nomination of a professor is her Majesty's right. Begs that through his lordship's favour one may be named that is a minister, which hath been a constant practice, and that no person may be put into such a post who shall not be known to be well affected to their church. Has writ fully to Baron Scroop to lay the matter before his lordship.

They are in no small perplexity about the Oath of Abjuration. Is afraid not a few ministers will forbear to take it. They imagine they will be overlooked, as he heartily wishes they may, but what trouble may not some justices of peace create to them.

BARON SCROPE to the EARL of OXFORD.

1712, November 15.—I have had many importunate letters of late from Mr. Carstares and other gentlemen of Scotland humbly to beg your Lordship that one of their own Communion may supply the vacancy of a Professor of Divinity in the University of St. Andrew's, the person they recommend is Mr. James Henry, a minister of that country who hath taken the Abjuration Oath and whether it is not fit at this time to show some countenance to those that think they are bound by laws, is most humbly submitted to your Lordship's great wisdom.

The Revd. JO[HN] STIRLING to [the EARL of OXFORD.]

1712, October 11. College of Glasgow.—Is commanded by the Synodical meeting of the whole province to send his Lordship the double of an humble address to her Majesty which they have agreed to. The occasion of it is the continuing scruples of many ministers about the Abjuration, for which cause those who are clear to take it as well as those who are not clear join in this address; and it is their humble and earnest desire that his Lordship would have the goodness to recommend it to the Queen.

Is assured that such who scruple to take the oath are Her Majesty's good subjects, who will not fail to confirm all under their charge in loyalty and duty to her, and in peace and concord among themselves for the real quiet of the government.

The signed address has been sent to the Earl of Ilay to be by him presented to the Queen, as none of the Synod has the honour to be known to any of the Secretaries of State.

The Revd. W. CARSTARES to [the EARL of OXFORD.]

1712, October 30. Edinburgh.—Upon Tuesday last a good number of ministers of this city and adjacent places of the county of Edinburgh did appear at the quarter sessions of the justices of peace of these bounds and did take the Oaths of Allegiance and Abjuration. One of us had a short discourse in the name of all the other ministers present before we took the Oath, but did not at all presume to desire that what was said should be recorded in the registers of the Bench. A true copy of the whole discourse I have presumed to send enclosed with these lines. Many others and I too did not at all look upon it as necessary to say anything at all as to our taking the Oath which we judged was clear in itself; but because many groundless scruples were framed against it, which had possessed many well-meaning and honest persons with unreasonable prejudices against it, we for the credit of our ministry and preventing our being loaded with unjust calumnies and reproaches did judge expedient to make the enclosed discourse.

There are many ministers that have not taken the oath, but I find that many more have taken it than I was once afraid would have done so. I hear that in the counties of Angus and Mearns where there are several episcopal ministers, and where it is thought there are many disaffected to the present constitution, the justices of peace did not meet in a quarter sessions upon the day appointed; upon which not a few ministers that came to the place of their ordinary meeting to take the oaths did take instruments in the hands of public notaries, showing that they were there for that effect, but that no justices were there to administer them, though at last one of them came, but he refused to administer the oaths when there were none others besides himself.

I hear that the body of the tolerated clergy doth refuse the Oath. But the most perplexing thing in this affair is the penalties of the law against the refusers, especially those who shall continue to preach, which will be heavy upon several ministers of the Established church, if not prevented by the goodness of the legislature, to which I am confident your Lordship will contribute what is in your power.

Enclosure.—The speech in question, declaring that they would have carefully avoided the taking of this oath if they were not persuaded their scruples about it as inconsistent with the principles of their Church are groundless.

Endorsed by Oxford Speech to the President of the Sessions at the taking of the Abjuration. Received November 5 in M. Carstares of October 3 (*sic.*), 1712.

SIR JAMES STUART to [the EARL of OXFORD.]

1712, November 11. Edinburgh.—I presumed some week ago to give your Lordship an account how hardly and uncivilly the Justices of Peace in the shire of Angus had treated their Ministers for observing of a fast appointed by the Synod of the bounds but though the Justices proceeded to summon all the Ministers of the Synod to their next Quarter Sessions yet the matter hath been so managed that in their Sessions in the end of October last the business was in a manner let fall and I hope shall give us no more trouble. But my Lord this affair of the Abjuration hath occasioned great distraction and is like to be very perplexing for though the greater part of the Presbyterian Ministers have taken or are ready to take it yet a very great number have refused to take it and probably will continue to preach and in several parts specially in the West some ministers clear to take it durst not do it for their people and some who have taken it are much deserted and abandoned by their people which is a lamentable distraction specially when so groundless. As for the Episcopal Dissenters they seem unanimously resolved to refuse and yet to continue to preach but I hope that in all this confusion the Government is nothing in danger and I can only heartily wish for such an issue as may compose these differences with as little prejudice as may be.

My Lord, give me leave to add one farther word in behalf of Mr. Scot, Her Majesty's Envoy to the King of Poland. Mrs. Scot his wife is my daughter and hath been to wait upon your Lordship and is much assured of your Lordship's kindness and I am also very confident that Her Majesty will not neglect her ministers and that Mr. Scot in particular shall still deserve her Royal favour. But, my Lord, I must beg the freedom to tell your Lordship that his condition can neither bear nor make advances and therefore I must earnestly entreat that your Lordship would be pleased to mind him and my daughter, your supplicant, as the matter deserves. *Signed* Ja. Steuart.

The Earl of Mar to the Earl of Oxford.

1712, December 15. Alloa.—Were it not that I know your Lordship's time is better employed and more for your Queen and country's service than with the little things which concern this country I should ask your pardon for my not writing oftener, since I came here, directly to yourself; but as it was little I could suggest, I knew your Lordship had so full information and knowledge of these matters, that I thought it would come near to impertinence to give you often trouble about them.

The reason of my troubling your Lordship now is occasioned by the election of our peers upon the unhappy accident of poor Duke Hamilton's murder, the loss of whom I think a real one to his Queen and country.

I had a letter some days ago from Earl Lithgow desiring my assistance for him in this election, and I presume he has written to your Lordship of his design of standing at this time. Your Lordship knows well enough what ground he had to expect this formerly, how we were almost all engaged to him, and the reason he was not chosen then. His carriage upon that occasion, with submission, deserves some consideration: these things and the friendship he and I live in made it impossible for me to refuse what he asked of me in this affair. I am sure none could be chosen who will be more faithful to the Queen or readier to follow her measures and I really believe it is chiefly for the promoting of her service so far as in him lies, that makes him so desirous of it. He hopes I know that your lordship will make him acceptable to her Majesty, and I believe he will have very little difficulty in his election.

The meeting of the Parliament and our election being appointed on the same day, I beg your Lordship will be pleased to let me know the Queen's pleasure whether I should attend the one or the other and which is thought most for her service shall be most agreeable to me, as I believe it will to all the sitting peers that are now in Scotland.

As a faithful subject to her Majesty and one who has been some time honoured with some trust in her service, I think myself obliged in duty to let your Lordship know that since I came last to Scotland I have had occasion to see more of what I indeed apprehended, than I really thought there had been ground for. The long delay (and in their eyes as it were the neglect) of business relating to this country, has sunk the reputation and credit of the government lower than I ever saw it. And pardon me, my Lord, for saying it with submission, how can it be otherwise? When it is now two full years after the great struggle that was betwixt those who followed the measures the Queen had a mind to and those who did otherwise and that still things continue here almost as they were before that time, with the addition of some hard things being done to this country and nothing to please them or in reality for their interest. Hardly the face of a government here, scarce so much as a Scots man about the Queen's person, none in the cabinet or in any business, and beside your Lordship (on whom our whole dependance is but who has things of more moment to take up your time) very few to whom our countrymen who have occasion to be there are so much as known.

Some of us were empowered two years ago to make promises to some people here of things that they had been long in use of and as it were in possession of from the Crown and no performance of them since that time. All this being considered, I suppose the Queen and your Lordship will think it the less strange that the reputation and credit of the government is no higher in this country. Some of us who had occasion this while to be at London and in the Queen's measures, have done what we could to put people off and excuse the delays by telling them that greater affairs in agitation were the occasion of it and that these things they expected would be very quickly done, but they have now found themselves so often disappointed, that not one word of what we say to them of that kind is believed, and those of us who spoke in that manner have lost our credit in a great measure and any little interest we had with them.

I wish her Majesty may never have occasion for another struggle but, if she should chance to have, she will I am afraid find a loss and difficulty in raising the reputation of the government and such an influence as was then.

If in what I have here said I have presumed too far, I ask pardon and I hope it will be excused since it only proceeds from my concern for her Majesty's service and interest and of those now employed by her.

I am to be at Edinburgh in a few days, where I will wait to receive your Lordship's commands, and however you think fit to dispose of me, they shall be faithfully obeyed."

The Revd. W. CARSTARES to the EARL of OXFORD.

1712, December 27. Edinburgh.—That which makes me adventure to give your Lordship at present any trouble is the vacancy of the post of Her Majesty's Almoner in this part of Britain through the death of the worthy Mr. Law, who was honoured with that character for several years ; and I may with some confidence recommend to your favour for his successor, Mr. William Hamilton, Professor of Divinity in this University and moderator of the late General Assembly of this Church. He hath as much to recommend him as any that can be named, of which I have given a particular account to Baron Scrope who will lay it before you.

The Abjuration Oath hath had more opposition made to it than I could have imagined, for the scruples moved against it are to me at least unaccountable. But if her Majesty and the Parliament would have the goodness in compassion to many that are faithful well-wishers to her Majesty and her government and to the Protestant succession as established by law in the House of Hanover to give a new day for taking the Oath and to declare that the scruples framed against it are groundless, and that it can have no other sense than that which hath been declared by these that have taken it, I cannot express what an advantage it would be to this church and, I hope I may say too, to her Majesty's interest ; but I know that this and everything else that may be for our quiet would be violently opposed by some of our countrymen.

The Earl of Mar to the Earl of Oxford.

1712-13, January 13. Edinburgh.—Being unwilling to trouble you I desired Lord Dupplin last post to let you know that I had yours of the 6th and the proxies safe. This day the Peers have unanimously chosen the Earl of Lithgow. The season of the year together with the little industry that was used for this election made our meeting no fuller. The numbers present were twenty-five and those by proxy twenty.

I wrote lately so fully concerning the humour and temper of people here that I'll trouble you no further upon that subject till I wait on you in London ; only this I must beg leave to say that if care be not taken to do some things agreeable to this country soon, at next elections the bad effects of it as to the Queen's service will be found, besides the bad consequences it will have otherwise.

Dd. Myles, Moderator, to [the Earl of Oxford.]

1713, January 21. St. Andrews.—The place of professor of Divinity in the new college in the University of St. Andrews, which is of Her Majesty's presentation, being vacant by the death of the late Professor Mr. Thomas Halyburton ; we, the Ministers of the Presbytery of St. Andrews, presume to address your Lordship on this occasion, and humbly to represent, that the suitable planting of this vacant post is of great importance to the Established Church of Scotland : it being one of these nurseries where the youth are educated for the sacred ministry. And usually and ever from the Revolution, that place hath been supplied with a Minister of the Gospel; who on that account when settled becomes a member of our Presbytery.

We are the more anxiously concerned in this matter, that we are informed recommendations have been procured in favour of one who is not a minister. But we are confident of Her Majesty's good inclinations to have the place planted with a person well qualified for the office and acceptable to this Church. And if your Lordship would be pleased to concern yourself in our behalf that Her Majesty's presentation might be obtained to a Minister of this Established Church who may be judged fit for the charge, it would be a very kind office done to this Church, and in particular very much oblige us of this Presbytery.

That your Lordship may be under the Divine conduct in managing the great affairs you are entrusted with, and that the blessings of Heaven may be plenteously poured forth upon your noble family, is the hearty prayer of yours, &c.

Sir James Erskine to [the Earl of Oxford.]

1712-13, February 13. Edinburgh.—Yesternight pretty late I had the honour to receive your Lordship's commands in a letter dated the 9th of this month. All your other letters are either delivered or sent off to the persons for whom they were directed, except these to the Earls of Eglinton and Kinnoul and to Mr. Lockhart, who having taken journey for London several days ago I thought it best to return their letters to you. I shall not fail to urge the members of both Houses to hasten up; most of the Peers are already gone from this or just going, and such of their proxies as could be got since your Lordship's orders arrived are sent with this packet.

The Earl of Mar to the Earl of Oxford.

1712-13, February 19. Whitehall.—By the long delays in settling anything in relation to Scotland I presume there must be something or other that the Queen imagines stands in the way of her doing it in the manner she inclines, or putting it into those hands she has a mind to. Had she had any view of employing me in the affairs of that country it is but reasonable to suppose that it would have been before this time, and its not being so makes me give over any thoughts of that kind.

I believe it were good for me that I could as easily throw off my being of that country as I do the thinking of any hand in the governing of it; but though the one is not in my power as the other is, yet I hope my having served the Queen so long (faithfully, I hope she is convinced of), and the sincere good wishes I have ever had for your Lordship, may entitle me to some share of her favour. I see the Master of the Ordnance place which the Duke of Hamilton had is still indisposed of, and if you think good to move the Queen to bestow it on me it will be a mark of your friendship which I will never forget.

The family I represent have been long servants to the Crown and to Her Majesty's ancestors. I found it in a very low condition and I may tell it your Lordship that it still is in want of support; and, if it get it not in the Queen's time, and when your Lordships is her first minister, I see not when it can ever expect it. I hope I have not been very troublesome with any pretensions of mine these two years past but I beg leave to put you in mind that I am almost the only one who at that time had the honour to be called your friend who is not put in a better way than they then were: and it is quite otherwise with me, for what the Queen was pleased in her goodness to allow me is now on a much more precarious foot than it then was though I am obliged to your Lordship that by the manner of paying it I am not yet sensible of any difference in it.

The Revd. W. CARSTARES to "DANIEL DE FOE, ESQR."

[N.S.] 1713, February 10. Edinburgh.—I am heartily glad to hear that you are safe at London, and shall be glad to hear too that you find the heat of parties so far at least abated, as that they will allow themselves calmly to consider what may be for the public safety and quiet.

As for us here, our matters are in such a posture as it is hard to frame a judgment of them, they seem to be in a suspense till it be seen what course the Parliament will steer, but our Jacobites are unaccountable in their bold and foolish actings in some places, and as I am informed they seem to be much displeased with our great friend, which I must say doth not much grieve me; I only wish he might have more of support and encouragement from men of another kidney, for I have a great honour and true concern for him and do always attend him with my best wishes.

My great design, Sir, in troubling you with these lines is earnestly to desire that when at any time you see our noble friend you would take occasion to put him in mind of my brother-in-law, Major Coult, who, you know, hath been long an officer, is a gentleman of true merit and worth and justly esteemed as such here, and is of untainted integrity. He had an act to be Major of the Castle of Edinburgh, and additional pay before the Union, which is of late retrenched, though her Majesty hath been pleased to continue to some others the advantages they had before the Union, though they were not allowed by the English establishment. That noble person when I was at London did show an inclination to do some kindness to Major Coult, and I hope he may yet do something for him, both as to renewing his commission as Major and restoring his additional pay, if reasonably put in mind of him.

I know, sir, I may with confidence leave this affair to your discreet management. I trouble you with my hearty respects to your lady and the young ladies your daughters, not forgetting your sons.

[The Earl of Mar] to the Lord High Treasurer.

[1713,] February 26. Friday.—Since I saw no appearance of any place being ordered me for an office I have been looking all about for some place to hire for now that people are come to town I cannot get living at my house in any peace or quiet without some other place for an office.

I can find none after eight days enquiry, with any tolerable convenience or distance anywhere, save one in Craig's Court, which indeed is too big and too dear, but there is no choice. With difficulty I have got them persuaded to let it for one year, and the rent 200*l.*; if it were taken for three, they would give it 20*l.* cheaper, but I think that is worse. I would rather be at some expense myself than be without an office any longer; but since the Queen has not rooms of her own to give, you will, I presume, think it reasonable that the charge of this office should be on the public. I beg you'll be pleased to let me know what I should do in it. I must give the people an answer to-morrow. *Unsigned.*

Sir James Stuart, to [the Earl of Oxford.]

1713, March 28. Edinburgh.—The flying pacquett about the General Assembly came to hand yesternight and I find your Lordship's care and concern in that matter most acceptable. Mr. Carstairs and Mr. Hamiltoun have returned your Lordship their answer as to what was demanded concerning Her Majesty's letter and instructions and I hope the Assembly may meet and proceed peaceably and orderly to Her Majesty's satisfaction. My Lord, I have nothing to suggest worth your Lordship's notice but now that patronages and presentations are restored so little agreeable to our Presbyterian Establishment it is very much wished that the inconveniences may be prevented as much as possible. Patronages have been of a long time disused amongst us and in that time many have 'exped' Charters of their lands with patronages insert as a thing little regarded but which still gave a claim to the tithes and vacant stipends. But the clause of patronage in these Charters is now laid hold on and made use of. And therefore it is thought that since patronages are restored the Queen's title as Universal Patron should be first sustained and that no patronage claimed by a subject should be regarded unless duly verified and instructed. And for that cause it is thought that if Her Majesty would incline to give a Commission to good and fit persons to manage her presentations it might be a check to this abuse and be easier both for Presbyteries and congregations. It hath happened of late that a presentation hath been 'impetrat' from Her Majesty to one Mr. Scrimseor, a professor of philosophy in St. Andrews, to be professor of Divinity there. My Lord this gives great offence for Mr. Scrimseor was neither student nor Doctor in Divinity so that it seems to be a groundless promotion and the Presbytery there do except much against it. But, if Her Majesty's power of presentation were put in Commission and under a management, inconveniences of this kind might be easily prevented and the pretensions of undue patrons happily cut off. My Lord, our Church are so averse from patronages that they will hardly advise in this matter which occasions me to use this freedom which I assure your Lordship is out of a very sincere zeal for the peace and quiet of this Church and Her Majesty but most humbly submitted to your Lordship's better judgement.

The Revd. W. CARSTARES to [the EARL of OXFORD.]

1713, March 28.—The Duke of Atholl was and will be most acceptable to us, but I am afraid he will not accept of the post of Commissioner again, if your Lordship do not obtain his being gratified either as to former or new demands, which how far you may think fit to do is none of my business to make a judgment of. But, if he should refuse to be again in that post, I cannot but signify that the Earl of Loudoun is still the fittest man that I can think of both for your Lordship's own satisfaction and ours. I am thoroughly acquainted with the Earl of Findlater and have a great respect for him, but I am afraid that considering some past occurrences he will not be at present very acceptable here. But if your Lordship shall find it expedient to name any here to represent Her Majesty's person in our Assembly, I can think upon none that is more acquainted with us and with the manner of our proceedings in our Assemblies than the Earl of Glasgow.

The affair of the professor of Divinity at St. Andrews is of such a nature as obtains in no university in Europe that I know of, that one should be made professor of Divinity that was never known to make it his particular study, had never any degree in it, never did undergo any trial or dispute in it, nor ever was a minister; but I judge my Lord Advocate will touch this matter to your Lordship.

SIR JA. STEUART, the younger, to [the EARL of OXFORD.]

1713, April 25. Edinburgh.—The uncertain state of health my father has laboured under these many years, and particularly since by your Lordship's goodness and favour he was reappointed to his former station of Her Majesty's Advocate in these parts, has made him all along desirous to have me conjunct with him in the office, which I did not at first incline he should make any application to have done, thinking it might derogate from the credit of your Lordship's choice of him, if anything should be done that might give people ground to think he was not able to discharge the duties of his trust, specially seeing I was not only solicitor, but by accepting of a deputation from him freed him of much of the burthen of his charge.

But now that it has pleased God to confine him to his bed by a sore and dangerous sickness I humbly beg leave to presume so far upon that countenance your Lordship was pleased to honour me with when at London, as to apply to your Lordship for your gracious and favourable recommendation to Her Majesty that she may be pleased to make me conjunct with my father; or, if he should die before this can be done, that Her Majesty may honour me so far as to take trial of my capacity to serve her in that station wherein I have now been so long an apprentice both as solicitor and Advocate Depute. And I am hopeful neither Her Majesty nor your Lordship shall have reason to repent your making such an experiment, for I assure your Lordship I am not desirous of it more for the honour and advantage of such a post, than for an occasion of letting your Lordship and the world know the sense I have of all your favours so generously bestowed both upon my father and myself. And I hope if your Lordship shall favour me in this I shall soon be in a capacity of making an offer of more immediate service both to Her Majesty and you which I shall ever look upon as both my honour and my duty being desirous of nothing more than the favour of being, yours, &c.

SIR JAMES STEUART to [the EARL of OXFORD.]

1713, April [25].—I am through the providence of God just a dying man but do die in the deepest sense of all the kindness and favours your Lordship hath done me. My death will make a vacancy which I heartily wish may be well supplied; but if my recommendation may signify anything I am persuaded I leave a son sufficiently qualified to be Her Majesty's Advocate. He hath had now good breeding and experience and will certainly be acceptable to all to whom I have been acceptable, specially to our Church. And as for Her Majesty's service I am persuaded he will be faithful and zealous therein to Her Majesty's satisfaction and I am further persuaded that however this matter may fall out he will be your Lordship's entirely devoted according to the obligations that you have laid upon us. And therefore my Lord I again most humbly recommend him to succeed in my office for the advantage of Her Majesty's service the satisfaction of all good people and that he may continue a firm and faithful servant to your Lordship.

Endorsed by Oxford. Edinburgh. Lord Advocate without date. Recd. May 1, 1713. With letters of April 25.

SIR JA. STEUART, the younger, to [the EARL of OXFORD.]

1713, May 1. Edinburgh.—My father died this morning and, as he writ in his last to your Lordship, under a deep sense of all your favours so undeservedly bestowed upon himself and me.

Your Lordship will pardon me if I again renew my application to have the honour to succeed him in his office as well as Estate seeing it is so natural for a son to desire to be thought to inherit his father's merit with his fortune. And though your Lordship should confer this honour upon me for no longer time than your other more weighty affairs permitted your Lordship to fix upon some other more deserving yet considering how great an advantage it would be to me, to be introduced to the stage of business by one of your Lordship's character and so justly allowed to be a competent judge of personal merit, it could not but in honour and gratitude lay me under perpetual obligations of being as I am, Yours, &c.

The Revd. W. CARSTARES to the EARL of OXFORD.

1713, April 25. Edinburgh.—I was surprised to hear that Mr. Lockhart, of Carnwath, should bring in my name in the public accounts as having a grant from Her Majesty out of the Bishops' rents in Scotland to the value of 220*l.* sterling, without so much as ever asking me what I had yearly by that grant; for the utmost I ever made of it was 180*l.* a year, but now I do not make so much of it, and I have laid out more than 100*l.* in defending Her Majesty's right at law, which it was my duty to do. I cannot indeed say but the Deanery of the Chapel Royal, which through Her Majesty's favour I enjoy, may have amounted to that sum in the times of Episcopacy, but since the Revolution there hath been a diminution of the rent of it by sums given for augmenting the small benefices of some ministers. But I would humbly represent that what I have from Her Majesty is only that which belongs to her Chapel and which always came to the share of him who had the honour to be Chaplain or according to the old term, minister of the King's or Queen's household; and when Presbytery was re-established in the time of her Majesty's grandfather, a minister of the Established Church was his Majesty's chaplain and had the profits belonging to the Chapel Royal, and if it were to be taken from me it would be expected that another minister of the present established church should have it. In times of Episcopacy the Bishop of Dumblane was in course Dean of the Chapel Royal and had the profits of it, because of the small rents of that See, and I have no title by her Majesty's gift to what did properly belong to that bishopric, nor did I ever offer to pretend to it, but only to what did belong to the Chapel.

As I entirely, next to her Majesty, owe to your Lordship's favour my having been continued since the death of the late

King in the post of Chaplain, when some did design to put another into it, so I do cheerfully leave my concern in this matter to be ordered as you shall think fit. I neither am nor did I ever study how to be rich, and I am incapable of learning the way, and it is my satisfaction that my greatest enemies have not the confidence to say that I am covetous or overvalue money.

1713, May 2. Edinburgh.—Your last kindness to Mr. Hamilton is peculiarly obliging and your kind care as to the affair of our Assembly is not only a great obligation upon me but upon our Church in general, and indeed many here begin to be more sensible than ever that, if it were not for your favourable and kind interposition, not a few hardships would be put upon this church that she does not meet with, while yet our gracious Queen might know nothing of them, and if she did would never give way to them, as Her Majesty's commissioner did inform some of us did fall out in the affair of the Professor of Divinity at St. Andrew's. His grace did you justice in telling us what I myself knew before that you were much concerned that that business was so managed as to give any uneasiness to our church. What you acquainted me with of the advantages procured by Her Majesty for the Protestants in Germany and those of France that are in galleys, being mentioned by her Commissioner in his speech to the Assembly, did give great satisfaction as did her very gracious letter, as you will see by the Assembly's dutiful letter to Her Majesty.

LORD CHIEF BARON J. SMITH to [the EARL of OXFORD.]

1713, May 11. [London.]—I am very sensible that my brother Scrope's attendance upon your Lordship here is very much for her Majesty's service in relation to Scotland, but I presume to add that it is also very necessary that he should be some part of the year with us to assist in dispatching the most important business of the Court that shall happen there, and therefore I am of opinion that it would be most for her Majesty's service that he should be always with us in the two summer terms when what is of greatest consequence may be determined, and then his absence in the other terms may better be dispensed with.

THE REV. WILLIAM CARSTARES to [ROBERT HARLEY.]

1713, May 12. Edinburgh.—It is with great satisfaction that I can tell your Lordship that this Assembly hath had as calm a procedure, and with as much duty to our gracious sovereign, as any one we have ever yet had, and I must say that her Majesty's Commissioner the Duke of Athol hath managed himself in such a manner as I hope shall give as entire satisfaction to Her Majesty as it hath done to the whole Assembly, and I must give his Grace this testimony that he hath had a very zealous concern for the interest and honour of his sovereign, and hath in his discourses with members of the Assembly in private shown the obligations they were under to your Lordship for your kind concern for this Church.

I beg that you would yet be pleased to concern yourself further in us; otherwise by presentations to vacant churches in her Majesty's gift, and by appeals in church matters even from civil judicatories, from which in those affairs before the Union there could be no appeal to our Parliament, we cannot but be involved in disorders, as will be evident by an extravagant appeal from this assembly to the House of Peers by a young preacher who is not yet in orders and who hath her Majesty's presentation to the parish of Burntisland, of which your Lordship will I conceive have an account transmitted to you by the Duke of Athole.

My Lord Blantyre hath also raised a reduction of a sentence passed by the Lords of Session as a commission settled by the last parliament of Scotland for planting of churches and valuing tithes, in favour of a very worthy minister of Haddington, who is summoned to appear before the House of Peers at Westminster towards the end of this month. From this commission of tithes there was never any appeal to our parliament. This business alarms all our ministers as if it had a tendency to make all their benefices precarious; nor can it be expected that ministers can come to London to defend their own cause; nor is it a party business, episcopal ministers being as well concerned in it as we, and besides it will increase an aversion to the Union. These things I presume to sum up confusedly to your Lordship.

Our ruling elders were concerned that we should keep peace amongst ourselves, keeping within our own sphere, without giving any disgust either to Her Majesty or her ministers; and I cannot but acquaint your Lordship that two noblemen members of our Assembly have been thus peculiarly active, the Earl of Buchan and my Lord Ross, though they have no advantages from court to engage them to be so; and I cannot but take particular notice of the last, because I am afraid that the Duke of Athole, because of his relation to him, may be sparing in taking notice of him to your Lordship, which makes me the more concerned to do him justice.

Sir Ja. Steuart to [the Earl of Oxford.]

1713, May 12. Edinburgh.—Your Lordship having writ to my father some days before his death that Her Majesty depended upon his endeavours for a good issue of the affair of the General Assembly I thought it might be agreeable to your Lordship to understand that this day they are adjourned having ended all their business with great harmony and unanimity in which they have behaved with all duty and loyalty toward Her Majesty, and that confidence and trust in her Commissioner that, she was pleased in her letter to recommend to them. And the gracious assurance Her Majesty was pleased to give them of her protection, together with her making choice of one to represent who for his known integrity and approven capacity for such a trust is most acceptable to this church, did contribute very much to the bringing this Assembly to so happy a conclusion.

I shall not trouble your Lordship with a detail of the affairs of this Assembly seeing they most dutifully confined themselves to the particulars recommended to them in Her Majesty's letter but shall only beg leave to take notice of two particulars that I believe in a short time will be more fully represented to your Lordship ; one is the affair of Mr. Scrimzour, whose being named by Her Majesty to be professor of Divinity in the University of St. Andrew's, though neither a minister nor having any degree in Divinity, was very dissatisfying to many, and though out of duty to Her Majesty the matter was not tabled in Assembly, yet some of their number were very pressing with Her Majesty's Commissioner that his Grace would lay the affair before your Lordship in its true light: the other is anent one Mr. Dugud, a preacher, who being licensed got a call to Burnt-island but about the time the Presbytery of that bounds were to enter him upon his trial in order to ordination some objections arose against his life and conversation as unsuitable to the character he was to be vested with. This made the Presbytery delay his trial till either they saw that the charge was groundless, or he should offer something in his own vindication. During this delay the Act restoring Patronages took place and Mr. Dugud to fortify his call which was not unanimous, and also to hasten his settlement did procure a presentation from Her Majesty to that parish. But this affair of clearing his reputation requiring to be more deliberately gone about than Mr. Dugud had patience to bear he after some steps made in several judicatures appeals from the Synod of Fife where it was then depending to this Assembly, and his affair being there tabled it was found to consist so much in facts, that could not be otherwise cleared than by witnesses, who were neither present nor advertised, that the Assembly was obliged to refer the matter to their Commission that was to sit in a few days. Against this resolution Mr. Dugud protested in a manner so very unbecoming his character and the circumstances of the place, that they, to make him sensible of the affront done both to her Majesty's Commissioner and themselves by such a behaviour, did next day by an Act of Assembly recall his licence to preach, and Mr. Dugud now giving it out that his licence is recalled upon no other view than to make void Her Majesty's presentation I thought it my duty to let your Lordship know something of this affair lest it should be otherwise represented to the prejudice of the Church and of an Assembly thereof who have behaved with all regard to Her Majesty and testified their loyalty upon all occasions. These things my Lord I thought it my duty to acquaint your Lordship of till a more particular information be laid before you.

[The EARL of MAR] to the EARL of OXFORD.

1713, June 12. Friday.—If you do not now contrive some relief as to the Malt Tax in Scotland and some redress for that of the peerage, it will not be in the power of man to prevent addresses from all in Scotland who are able to hold a pen against the Union by the meeting of next Parliament; and, if you do not very soon think of some things with regard to the elections there, in all probability such returns will be made as will not be much to your liking and I am afraid will tend more to your disquiet than perhaps you are aware of. If my concern for the peace and quiet of the Queen's affairs under your administration makes me too officious I ask pardon.

I have long and often insisted on things of this nature, I'm sure with a good intent, but I have but too good reason to believe that anything of this kind from me is looked on by some people as only some selfish designs for my own interest.

I heard to-day from Scotland that Sir David Dalrimple is on the road for London but what is the occasion of his coming is more than I know. It was news to Lord Loudoun too and I am sure he knew nothing of it but undoubtedly there must be something more than ordinary that brings him away from his harvest, I mean the Session which is now its top time of business.

I was told your Lordship designed to see the Duke of Montrose to-day. He talks of going very soon and by what I can perceive he is further from us now than before he went to the Bath.

BARON SCROPE to [the EARL of OXFORD.]

1713, June 15.—By your Lordship's warrant and Mr. Harley's letter most of the applications that were in the Treasury are transmitted to the Barons to try if any expedient can be found for carrying on the business according to the Scot's forms since the Commissioners of the Privy Seal will not submit to the opinion of my Lord Treasurer and the other judges; which will for the present ease your Lordship of some trouble.

The settling the Commission of the Customs is very much pressed, without which provision cannot be made for many people that have been recommended to your Lordship and whilst the Commission is in discord no effectual care can be taken for preventing the importation of Irish victual.

A cashier for that part of the Revenue is also wanted. Some indigent people of quality have received hopes of having small pensions allowed them, as they had before the Union. If a sum certain was appointed for that service and not too much allotted to any particular person in all probability it would contribute to the quiet of that great body. The Keeper of the Great and Privy Seal desire to be put on the Scot's Establishment for their salaries, but that cannot be done without leaving out many small officers. Mr. Johnston is very uneasy at his sisters not being provided for.

By the death of the Marquis of Tweedale the shrievalty of Haddington is become vacant which must be supplied before the Elections.

A new Register and Advocate I believe are expected and whether the hopes of the Commission of Trade is given over I don't know.

My Lord Ilay hath often informed me that he troubled your Lordship in behalf of Mr. Stewart the Remembrancer, who, by the Union, lost his office of Clerk of the Treasury and of the Exchequer.

Since the Malt Tax I have heard nothing of altering the Justices of Peace or Commissioners of the Excise.

My lord these are the things that I have heard most complaints about and whether anything is fit to be done in them is most humbly submitted to your Lordship's great wisdom.

The Revd. WILLIAM CARSTARES to the SAME.

1713, July 9. Edinburgh.—I have not had the confidence to write anything to your Lordship about the late Thanksgiving Day appointed to be observed in Scotland. Had all been of my mind as to that matter, neither her Majesty nor her ministers had I hope had any ground of displeasure as to the not observing it. But give me leave to make it my most humble and earnest request to you to overlook this failure and to compassionate the scruples of some, and the excessive tender regard to the humours and weakness of the people in others; for the Malt Tax had generally disgusted the people both as to the Union and the Peace. But I hope that her Majesty's government shall suffer no prejudice by her not resenting what hath occurred in this matter, which I am so far from justifying that I lament it, as I did witness against it by my own practice. The swarming of popish priests in the north and their avowed insolence in contempt of the laws, together with the great parade that is said was at the baptism of a child of my Lord Drummond's, with whom it is reported his father the Earl of Perth is, make a great noise here.

JA. MURRAY to [the EARL of OXFORD.]

1713, July 15.—I undertook to be parliament man for Perthshire, from a sincere intention to serve my Queen and country, and a view to prevent the coming in of another person who would have preferred the interest of a party before anything else; and in consideration of my services the shire is positively resolved to choose me at the next election. I hope your Lordship will be pleased to provide for me as you think fit, for to enable me to come and stay here during the sessions of parliament, I having a numerous family at home and a very small fortune to maintain them. Your Lordship's speedy answer, in regard I must go soon home, will be extremely obliging to me.

CAPT. A. CAMERON to [the EARL of OXFORD.]

[1713, July 24.] London.—I am overjoyed to understand that your Lordship is better this day. I understand there is one Campbell of Glenderuall come up here and keeps himself *incog:* with Sir John McLene who I doubt not has encouraged his coming up and designs to present him to your Lordship when it pleases God that your Lordship is in condition to see company. I believe he may have some message from Breadalbane; if so, I am sorry his lordship should employ one of this Campbell's character which is not unknown to your Lordship when he was prisoner here and discovered everything he knew and much more. I believe your Lordship will have nothing to do with him he being a whidling, dangerous, piece of work and not to be trusted, so that I hope when Sir John brings him there you will be pleased to tell that your Lordship will take your own way of dealing with Breadalbine, besides that my Lord Glenarcha is here who is certainly a better man than Glenderuall. I thought fit to acquaint your Lordship of this that you may give them what answer you think fit.

I presume to acquaint your Lordship that it will be a disadvantage in the Election of Peers in Scotland if the Guards be immediately taken from the Marquis of Loudeen for if it be done before the election, the Marquis and his son and my Lord Warstone his son-in-law are all so ill-principled that they will vote against the Queen and her ministers.

CAPT. JOHN OGILVIE to [the EARL of OXFORD.]

[1713, July.]—My Lord Glenorchie was at Greenwich last day (*sic*) where his Lordship was so kind as to visit me. We had several discourses about his father and the family of Argyll, he says that as Argyll and his brother Ilay are entirely into the Whig party they will join the 'Squadrone' or anything that will join them to oppose the Court, and they may be strong and may entirely carry the elections to their own side unless there be right measures taken. As for my Lord Breadalbane he has dependence upon no party, nor upon no great families, and let the world go as it shall please God he is much indifferent, for he is in a condition to defend himself and his own interest from the oppression of any whatsoever; but if your Lordship have a mind to take him by the hand and your interest be the monarchy and church he is willing to come up on that lay, and the first stage that he will take shall be to break with the two brothers. Your Lordship is a wise man and knows best what is proper to be done. I know the Earl of Mar nor Kinnoull either have no mind that Breadalbane shall come up; they are afraid of him; but your Lordship has nothing of that to fear, for he will always be in the interest of the Crown and Church and consequently in your Lordship's, besides he will always speak truth and consistently inform you of the true and just interest of the nation. He will also break the neck of any interest that either Argyll or Ilay have in that nation; and also if ever there be any commotions in that country he is capable to bring two thousand men to the Bridge of Stirling in forty eight hours advertisement, which is the great pass of the kingdom. I fancy my Lord Mar may be for pleasing of him otherways by giving of him some compliment, but they had best beware that they do not sour him which if they do they may come to repent it, for he is too old a cat to draw a straw before his nose. Have nothing to do with Sir John Maclean I did give your Lordship his character in my last; for me I have no earthly interest but your Lordship's which I dare say you are convinced of.

After we had ended the subject of his father, he fell upon the affair of the Duchess of Newcastle; he told me that she was a little in pique with your Lordship and that she had never employed any solicitor or lawyer but what was recommended by your Lordship's family, meaning your brother, and they all betrayed her and did advertise the contrary party of every step of her affairs. He also told me that her Grace had all the inclination that could be for my Lord Harley, but that there was a secret in the matter, the key of it is this the Duchess having given her paternal estate to the Duke of Newcastle she had nothing to trust to if her daughter should marry now, for whatever be in the will is in favour of the daughter; therefore she will never allow her to marry untill she be of age, that her Grace may make a bargain with her daughter for her own behoof, but the young lady wants about a year and a half to be of age. He says if an expedient could be found out for this she would match with my Lord Harley immediately, for my Lord Pelham the young lady abhors him, and so does the Duchess.

Endorsed by Lord Oxford:—"Scots Affairs. R[eceived] July 23, 1713. Dchs. Newcastle."

The EARL of KINCARDINE to [the EARL of OXFORD.]

1713, August 1. Edinburgh.—Being the other day informed that my Lady Mary Cochran, one of my predecessor's three sisters, is attempting to obtain from her Majesty the pension which the family I have the honour to represent always enjoyed since the Restoration, your Lordship will pardon me if I assert my own right.

Lady Mary founds her claims chiefly upon the merit of money lent by her father to King Charles in his exile; but I beg leave to let your Lordship know that the money thus lent was my money. My cousin when he attended the King was younger brother, his portion 2200*l.* was very soon spent, and I remitted him towards his own support and the King's assistance 3500*l.* sterling, which will appear from the original bond now in my son's hands to be shown to you; it bears date before the Restoration. This money was never repaid to me and in the year 1670, what by interest of this sum and by other sums lent by me to my Lady Mary's father, I have his bond for 5550*l.* sterling, which is now swelled to near 20,000*l.*

The three sisters are married into three families strangers to the family and name of Kincardine. There is no son alive, the daughters are well provided for, whilst I who have a very numerous family and who disposed of the bread of my own children to support my predecessor am now left destitute of all manner of relief from my cousin's estate to support the dignity of the family.

[The EARL of MAR] to [the EARL of OXFORD.]

1713, August 1. Saturday.—Lord Eglinton would have me promise to-day to let you know that he is certainly to go for Scotland on Monday early, and begs that you will be pleased to allow him to wait of you to-morrow to receive your commands. I wish you could do so, for he is very peevish and will be more so, if you do not, and that will make him talk foolishly when he goes down, which may do hurt. You will easily get quit of him, and a few fair words and the performance of that thing you promised him will send him away in good humour. He is to take leave of the Queen this afternoon, I thought it was fit to advertise her of it, which I did this morning and I found Findlater there before me, who had a pretty long audience. Her Majesty was pleased to tell me that she thought you would be the worse for the fatigue of the instalment, and would therefore speak to you of doing it by proxy which I heartily wish you may do.

I wish you could get time to dispatch the rest of our folks who are here; they are grown very impatient (particularly Northesk), and their staying so long after most of the Parliament men are gone is pretty much and oddly talked of by the town.

I have been thinking of the time for our election which you spoke of I believe next term begins not here till 23 October, and it is only in one of the courts at Westminster Hall where peers in England can take the oath in order to give their proxies. I know not if Lord Chancellor can sit in court sooner. If not our election cannot be till some time in November and that is very late. I would not wish it sooner than October but it is very necessary for any the Queen shall trust in that matter to be there long before that time. When I see you I will shew you a very odd paragraph of a letter of Lord Ilay's to my brother which certainly he designed he should give me an account of which he has done.

P.S.—Lord Kinnoul has told me of a thought of his which he sent you an account of. In my humble opinion it is right and that man may be as much consulted in our affairs as if his affair were now done, which would please him and keep him easy.

The SAME to the SAME.

[1713], August 3. Monday morning. Whitehall.—Mr. Baitman sent this morning for poor Gibbs and told him that the Clerk of the Works [at St. Paul's] was dead, and that one Dickison who was now one of the Surveyors of the New Churches had quitted that post to be Clerk to the Works in place of that man who is dead, by which that of one of these surveyors is vacant, to which he would recommend Mr. Gibbs. It seems that the disposing of it is in the Commissioners for the Churches, but Mr. Baitman says it is ordinary for your Lordship by a letter to recommend the person to them. If it were not that Mr. Gibbs is perfectly well qualified for such a post I would not presume to recommend him to your Lordship. Lord Bingley can inform you how well qualified he is that way, and he has given proof of it by two models he has made for churches, and other draughts which Lord Bingley has seen. He studied architecture at Rome and elsewhere sixteen years, so has had more occasion of improving himself that way than most of the Architects in this island. He is in great want of some support, and had it not been for a little thing I gave him in Stirling Castle, which he lost last year by the reduction, he had starved four years ago.

If this vacancy be once known a great many will be putting in for it, therefore may I beg that you will be pleased soon to recommend this poor (though fit) man to the Commissioners for this post, which will be an act of charity as well as filling the place with one that is rightly qualified for it. I wish your Lordship could do it before you go to Windsor, for the Commissioners meet on Wednesday and may perhaps dispose of it otherways.

P.S.—Your Lordship has sent Lord Eglinton away in mighty good humour, at least he was so last night.

AL[EXANDER] CUMMING to [the EARL of OXFORD.]

1713, August 8.—Now that the Parliament is to be dissolved, I should be proud to know your Lordship's commands in relation to me. I have served long and hope to your satisfaction and have suffered by my services more than all my countrymen put together. Lord Bolingbroke and Lord Bingley told me the great obligation I lay under to your Lordship and assured me I was to be taken care of soon, which your Lordship confirmed from your own mouth, and the time of elections being now approaching I must either prepare to go to the country in a few days or where else your Lordship thinks fit to dispose of me.

[The EARL of MAR] to the [EARL of OXFORD.]

1713, September 12, Thursday, two o'clock. Whitehall.—I am just now returned from Windsor with Earls Loudoun and Findlater. We had the honour last night of being with the Queen and of kissing her hand upon what she has been pleased to do for us. She delivered the seals to me and ordered me to prepare a warrant for Earl Findlater's being Chancellor of Scotland.

I will not now give your Lordship the trouble of telling you how sensible I am of all your favours. Since the Queen has been pleased by your means to bring me into her service you shall ever find me faithful to your interest and ready to receive and follow your directions.

I know that I shall have a great many to envy me and to tell stories of me and even to hurt the Queen's service upon my account and some of their own disappointments. I am not so blind not to know perhaps more of my own inability for the post the Queen has put me in than they can.

None of the Secretaries were at Windsor. I am told it is necessary that my commission should be passed against I be sworn in Council which the Queen told me was to be on Sunday next. If your Lordship thinks fit to speak to-night to any of the Secretaries of it, it can be yet got done by that time as Mr. Lewise says, but your Lordship is best judge of that. . . . . Baron Scrope dines with me to talk of Earl Findlater's commission and if you have any commands for any of us, we will be here waiting.

P.S.—The Queen was extremely well pleased when I told her that you had made Earl Loudoun easy in Earl Findlater's affair.

THE SAME to [THE SAME.]

1713, September 19.—The bearer, poor Gibb, hopes your Lordship will be so good to keep him from starving till he get his place to which you recommended him, that commission not meeting till October. He is a broken officer and gets no half-pay, and he has lived so long in expectation that he has no more credit nor anything to live on. If you be not pleased to give him something he'll be in a starving way, and 'tis pity one who can do his business so well should be so. *Seal.*

The Same to the Same.

1713, October 8. Edinburgh.—I have the pleasure now to transmit to you the List of the Sixteen peers unanimously chosen this day, which I hope are the same the Queen wished. I have at the same time presumed to give the Queen an account of it.

I am told Lord Ilay had several meetings with the "Squadrone," and we once heard of a protest that they were to enter, but it came to nothing, and the appearance they found they could make was so mean that they thought fit not to come to the election.

One thing I must say for this election, unanimous as it is, the Queen's name has not been once made use of by any of her servants for inducing any of the peers to join with us, which I suppose will make it the more agreeable to her Majesty, being the less liable (as the world goes) to objections.

The Queen was pleased to allow me to go to my own house for some time after the election. I intend to go on Monday, but I shall be at London about November 20.

I cannot omit telling you that Lord Breadalbane was so youthful to-day at the election that he would not so much as read his List with glasses, and his eyes alone served him very well.

P.S.—The return to the clerk of the Crown is sent by this pacquet.

Encl. List of the sixteen peers chosen.

The Same to the Same.

1713, October 6. Edinburgh.—A good many of the peers are come here, I reckon there are about fifty in town and about thirty proxies. And of these all I can reckon of those called the "Squadrone" (the Duke of Roxburgh not being here) are five, but though they are in town, as I hear, not to meddle nor vote.

Lord Ilay has been soliciting for himself very hard, but not with much success, for, as I compute (beside the "Squadrone") he would not have at most, if he should persist in setting up, above twelve his own vote included ; and the "Squadrone" will not join in voting for him unless they were to set up for themselves. Lord Selkirk has made more haste than people thought he could possibly have done ; he arrived here two nights ago, and Lord Dundonald came yesterday.

Lord Breadalbain is as fresh as ever I saw him, he says he is resolved to have the honour of seeing the Queen before he die, and there is no pleasing of him, nor indeed of several others who are concerned for him, if he be not one of the sixteen.

There has been no differing or division among the Queen's servants. We have done all we could to bring the election to a good pass, but it is chiefly owing to the care your Lordship took to enable us, by doing those things effectually which were necessary.

I received this morning your's of the 2nd with the draft warrant for the new Commission of Trade here, and have communicated it to the Lord Chancellor, the Duke of Atholl, the Earl of Loudoun, the Justice Clerk and Mr. Kennedy, one of the Solicitors. They and those of the former Commission are to meet at my house to-morrow to consider of it.

By one accident or other and chiefly by some of our being so long of coming down some of the elections of the Commoners have not gone entirely perhaps as your Lordship could have wished ; but there are petitions against most of these, and as much to say against them as I believe will make the House of Commons overturn them.

Postscript ;—Mr. Carstairs was almost dead some days ago at Newcastle, but is recovered and coming home.

The Revd. WILLIAM CARSTARES to the EARL of OXFORD.

1713, October 15. Edinburgh.—I presume by these lines to pay my most humble duty to your Lordship after a surprising and dangerous indisposition of body I was seized with at Newcastle, in my return from Scarborough, whither I had gone to drink the waters for my health, as I had done more than once before with good success ; but at this time they have had no good effects.

I was surprised to hear that it was confidently reported that I was at London, while it was never in my thoughts to take such a journey.

At the earnest solicitation of one Mr. Halliday, who is a minister to Brigadier Preston's regiment now in Ireland, I take the liberty to convey these lines to you by him. He is one of more than ordinary accomplishments, having had a liberal education abroad ; he hath some things humbly to represent to your Lordship concerning that regiment.

CAPT. A. CAMERON to [the EARL of OXFORD.]

1713, October 23. London.—Your Lordship was pleased to tell me [the] other day that you had provided for me and that I am to have my Commission before I go.

I am so sensible of your Lordship's care of me that it would seem flattery to express my thankfulness until an opportunity offer by which I may show it otherwise than by words.

I hope your Lordship will be pleased to let me know the nature of the Commission, I suppose it to be anent the Irish victual, wherefore it is requisite your Lordship allow me to talk about it before the Commission is out, for since your Lordship has been pleased to make choice of me I should be sorry to undertake it but in such a manner as I might be in condition to answer the Queen's design and country's expectation.

ALEX. ABERCROMBIE, M.P. to [the EARL of OXFORD.]

1713, October 29. Glass[h]augh, Banffshire. Being unanimously chosen, which I flatter myself I shall always be in this shire while I think it convenient or desirable, I take this opportunity to assure your Lordship that in the parliament you have not one more entirely devoted to your service than I shall be on all occasions. So you may acquaint the Earl of Findlater when my being at London can do you any service you shall find a ready compliance to testify what I so sincerely profess, and since Lord Findlater informed me how mindful you were of me after my departure from London, and the promises you were pleased to make there, I beg you to let the Earl or me know from whom I should receive your Lordship's commands.

The EARL of MAR to the EARL of OXFORD.

1713, November 3. Edinburgh.—" Nothing has occurred in this country since I wrote to you, worth giving your Lordship the trouble of a letter, which has been the reason of my silence.

I returned here from my own house last night to attend E. Findlater at his admission to the Session this day, in case of any opposition to it which he a little apprehended, though indeed I never believed there would be anything of that kind and so it has proved, as it is likely your Lordship will know from himself by this post.

I am to have a new draft of the warrant for the Commission of Trade here and a memorial on it from the solicitors one of these days, some records having been necessary to be looked into, have been the occasion of the delay of returning it and now that I come up so soon I think it needless to send it sooner but to bring it along with me.

Those concerned in the former Commission long much for the warrant your Lordship mentioned to have sent down for the payment of their bygone salaries and many a letter do they write me about it.

Mr. Murray and Sir Alexander Cumming take leave of me to-day, they being to set off for London to-morrow, the first of them gave out he was written for, but in speaking to me he told me he had had a very civil letter from Mr. S. Bromley and upon that he thought fit to go up. Your Lordship certainly knows that he is chosen in two places, though there is a petition against him in the shire, or he is the petitioner, I have forgotten just now which, and as to his election in the towns, Lord

Findlater being most concerned there, I will say nothing of it, but it is pretty sure he will be of the Parliament for one of those places. He is indeed a lad of a good deal of spirit, but he knows it so well, that he will be easily spoilt. I humbly think it will be necessary to do something for him, but considering by whom he has been for some time advised, if it be not given him in concert with the rest of us who have the honour to be in the Queen's service some of us can expect little assistance from him, but quite otherwise, and that I conceive would not be for the service which is all my concern in it.

Duchess of Hamilton and the rest of that family are to apply to your Lordship against E. Glasgow as Bailie of the Regality of Glasgow, his people they say having meddled much against a friend of theirs in the election of Clydsdale in which they were very much concerned. I know not if the Queen will think fit to give it to one of that family which I believe they aim at. If she do not, in my humble opinion Lord Wigton or Lord Dundonald is the properest person to have that trust, but of this none of them two ever spoke to me nor I to them or anybody else. It is a thing of no profit but has influence in elections.

There is another thing which those people are much concerned in as well as several gentlemen in that country about Glasgow, as I doubt not but your Lordship will hear from them, and that is against the College of Glasgow getting their tack or lease of the Bishops' tithes renewed to them, which I fancy Mr. Stirling the principal there is now at London about, but I will trouble your Lordship no more about those things till I have the honour of waiting on you at London.

I design to leave this place the end of this week and hope to be at London against the 21st if waiting on Lord Harley (if at Wimple) keep me not a day longer.

Mr. Lockhart has at last thought fit to produce the Commission of the Peace for the shire of Edinburgh which is to be read to-morrow, the Commissioners of Excise longed much for it. A little before I left London your Lordship was pleased to speak of a certain great man having mentioned to your Lordship that one he then spoke of would be now contented to go to a far off place which had been formerly talked of to him. In my humble opinion it would be good to send him there yet, for he will do but mischief at home, but this with submission."

Unsigned.

The Revd. W. CARSTARES to the Rev. JOHN STIRLING, Principal of the College of Glasgow, to be left at Old Man's Coffee-house, near Charing Cross, London.

1713, November 14. Edinburgh.—I have been hurried the last week in attending upon our Synod, and this in waiting upon our Commission which rose yesternight. There was nothing done of great moment but we managed whatever affairs came before us both in the committees and in the Commission with great calmness and peace. There were read several very lamentable representations from the North of the growth of popery and the insolence of popish priests and emissaries, and many matters of fact for the proof of these were mentioned, together with the names of witnesses that could attest the truth of them. These accounts did much affect all of us, some moved for making a representation of them to her Majesty, but others did think it a more proper and decent method to apply to the Lords of Justiciary here, that such gentlemen as did countenance and entertain popish priests, especially such as had been banished by the judges of the circuit, might be prosecuted here according to law, because it was known that her Majesty had by her royal proclamation two or three years ago given all encouragement that could be desired to justices of peace and other magistrates to employ the authority they were clothed with to suppress popery and trafficking priests; this was unanimously gone into.

There were accounts also of the irregularities of four or five brethren in the country about Dumfries and a letter was wrote to them with certification that if they continued in their separating course the Church would exercise their authority in proceeding to just censures.

P.S.—My kind respects to Mr. Robert Cunningham. I shall be glad to hear how it is with him and his family.

The Revd. JOHN STIRLING to the EARL of OXFORD.

1713, December 10.—His lordship's resolution to give the finishing hand to his affair is a new instance of his great goodness to him.

After this assurance there is nothing to make him uneasy as to his despatch save that he is told that with the warrant drawn in the terms of Baron Scrope's report on his Memorial, the first draft, against which he took the freedom to except, was likewise carried to his lordship. Hopes his lordship will free him of any apprehension about it by ordering it to be laid aside, that it may occasion no mistake by being signed instead of the true warrant. *Holograph.*

The EARL of MAR to [the EARL of OXFORD.]

1713-14, January 6. Whitehall.—Begs his Lordship will give order for what is due of his pension to be paid. Would not have given so often trouble about this of late if he did not very much want it at present. Has had a letter by last post from Lord Findlater to put his Lordship again in mind of his money.

Hopes his Lordship will give orders about rooms for his office now before going to Windsor.

Has not yet got the Attorney's and Solicitor's report concerning the Commission of Trade and still apprehends they will give it some wrong turn. E. Findlater writes that those of that Commission are now again in full expectation of its being sent down immediately, so that they may meet before they leave Scotland, and that they are very impatient for their arrears of their bygone salaries or pensions on that account. Many of them are in the country at a great distance from Edinburgh where it seems they are resolved to continue till they hear from the writer. It will take them some time to prepare themselves for their journey after he writes and they should be some time at Edinburgh before they come up and in this time of year their journey will take them a fortnight at least, so if the Parliament be to meet at the time appointed it is full time that he should write to them since they expect it before they stir, but all he could say to them would signify nothing till he can tell them of that Commissions being passed and sent down and that Oxford has ordered their arrears which they may get before they come away. Thought it his duty to let his Lordship know this that he may think of it in time and that by any mistake they may not be absent at the meeting of the Parliament. When his Lordship orders these arrears E. Lithgow will certainly expect his affair should be ordered at the same time and its not being done ere now is a mighty disappointment to him.

Has heard nothing from Mr. Guyn these ten days concerning the establishment of the garrisons there.

Is extremely glad to hear the Queen is well.

The Revd. Jo[HN] STIRLING to [the EARL of OXFORD.]

1713-14, January 18. College of Glasgow.—All the officers and professors of the university return their humble and hearty thanks to his Lordship for his great goodness, and will never be wanting to own that the flourishing of this Society is owing to so eminent a patron of learning as his Lordship is known to be.

Is glad to find men of the greatest influence with whom he has conversed well disposed to endeavour what may continue and promote the quiet of the government. Though at the same time he dare not conceal that the people of the southern and western parts of Scotland are full of fears and jealousies which seem to be chiefly raised by reports of those in the north and highlands being armed; and that the clans which the people in this country reckon ill-affected to her Majesty have pensions paid them. And it seems the removal of the arms from Edinburgh Castle heightens the fears.

The EARL OF MAR to the EARL OF OXFORD.

1713-14, Friday, January [22.]—Friday near one o'clock.—I send your Lordship the list of the Commissioners of Trade as you desired.

I hope your Lordship will give orders for their arrears and that they may go at the same time with our letters.

I am now writing mine which I will endeavour to have done to-night that I may go to Windsor to-morrow. I should be glad to know to which of the Lords your Lordship writes that I may write to them accordingly. Earls Kinnoul and Findlater will certainly expect to hear from you and your Lordship said you was to write to D. Athole. E. Bredalbaine would take it mighty well if your Lordship were pleased to write to him and I wish you had time to write to Eglinton, Northesk, Kilsyth, and Balmerino. I will expect your Lordship's letters to-night or to-morrow early before I dispatch the packet and I wish your Lordship would be pleased to let me know who you appoint at Edinburgh to pay that money to them. I hope you will remember to mention to E. Findlater that quarter of his pension of which he has written to me so often and also his two men Abercromby and Reid.

I hear your Lordship has no levée to-day which makes me afraid your cold is worse, I wish it may be otherwise and, if you would honour St. Scipio's feast, it might divert you, not being an ordinary scene, he is still in hopes of it. I will trouble your Lordship no more now. *Seal. Unsigned.*

Enclosure. 1713-14, January 22. Commissioners of Trade in Scotland by the Commission 1711. The Marquis of Annandale, the Earls of Eglintone and Northesk, The Lords Haddo and Balmerino, Sirs Patrick Murry of Autertire, and Hugh Paterson of Banockburn, and Mr. Alex. Murray of Stenope, junior. The Marquis of Annandale did not accept and the Viscount of Kilsyth named in place of him. Other Lords of the Parliament now in Scotland, Duke of Athole, and Earls Findlater, Kinnoul, Loudoun, Dundonald, and Bredalbain.

BARON SCROPE to [the EARL of OXFORD.]

1713-14, January 29.—The great share I have in the honour you have been pleased to confer on Mr. Whetham, as he is my relation and a Scots Officer, will, I hope, be an excuse for my presuming to interrupt your Lordship with my most humble thanks for your charity to him; the thinking of a servant at a distance is a compassion peculiar to your Lordship which will encourage all that have the felicity to be in your service, and this mark of your favour hath extremely added to the countenance and protection with which you have honoured, etc.

[The Earl of Mar] to [the EARL of OXFORD.]

1713-14, February 3. Whitehall.—This morning Mr. Stewart of Appin has been with me. He says it is the first place he has been in since he came to town, but by the Accounts I have from Scotland of his doings there it is to be presumed he has been in Marlborough Street [Duke of Argyll's] before he came to Whitehall. His pretext for coming is that he is sent by the Clans to vindicate them on that story of Macintosh of Borlom's going abroad from them, and to put your Lordship in mind of the money resting of what you promised them. I asked him if he had not letters from those who sent him; he gave me one from Fraserdale and showed me one to himself from Sir Donald Macdonald which was all, as I before knew, which he had to produce. He said they had directed him to take my advice how to proceed. I questioned him why he had no letter from Glengarry; he said he thought that was needless because he had left him at Edinburgh when he came away.

It would be too tedious to give you a particular account of our conversation, but upon the whole I told him that his coming up and being seen here was the way to revive that story again of Borlom and would make the Whigs make the greater noise about the affair of their money or pensions, so that as his coming had been ill-advised, his best way now that he was here was first to see your Lordship and, if you did not think otherwise, go home as quickly as he could.

I had some posts ago a letter from Glengarry disowning their sending him, and I saw a letter of his to Sir John Maclean to the same purpose which I desired him to show your Lordship, as I believe it was intended he should; and I hope he has done so. I have strange accounts from other hands too of his dealings with the old peer's brother servant, as he used to call him. Upon the whole I take it that this gentleman finding upon Breadalbane's coming up the account he had formerly given your Lordship of himself and the condition of his strength would be found out to be false, and consequently he would not only lose his credit but also what he had got settled as his proportion, and therefore resolved to get some of them there upon this pretext he tells, to give his coming up a colour, whereas his true errand was to secure himself before Breadalbane came, and if that should fail to fall in with the two brothers [Argyll and Ilay]. He has duped Fraserdale and Sir Donald, but Glengarry and the rest have been too wise for him. If your Lordship speak with Cameron he can tell you more of the particulars but I fancy you will think I am in the right in thinking the shorter stay he make here the better, and that he should be gone before Breadalbane arrives; but what you think fit in it shall please me.

I send you enclosed the only letter I had to-day from Scotland and by it you will see what we have to expect of some peoples' coming up. I do not doubt that the reason of your not sending the money at the time you made me write you had done it was because you had it not, but as I wish you had not promised it under your own hand (which they saw) in September last, so that you had not made me write of the orders being sent when you wrote for them to come up, for it makes them think themselves ill-treated and more out of humour (and I cannot say but justly) than if they had never been made to expect it, so this must of consequence make us lose all credit not only with them but everybody there who knows their story, and that will be no secret. To this is to be added the disappointment of the new Commission not being sent down which turns them and it to ridicule and sinks the reputation of the Government. Other people who have promises are not either in a better way, as poor Lithgow, and this makes the cry general.

I ask pardon for this freedom, it is no pleasure to me to make these remonstrances, and were it not my concern for the administration succeeding in your Lordship's hands I am sure you should have no trouble of this kind from me.

I saw a letter to-day from E. Findlater where he says it will be the 24th at soonest before he can be here. Loudoun I judge will be here about the 20th but I am afraid most of the rest will not be here so soon and that those of the Commission will not set off, as Balmerino says, till they hear again from hence.

I am told you go not to Windsor. When most people will now be out of town for some days, and you will have more leisure time, I beg you may think of some place for my office, that when they come up from Scotland they may not think that both it and I are a mere jest, as people here sufficiently think already by my being without some place of that kind so long. If it be for the Queen's service it should be so, with all my heart I shall never mention it more.

Since writing, I have been with Lord Dupplin. He tells me you desired me to send you a list of the people's names the money was to be paid and to whom to send it. I sent already a list of the Commission. If you want another I shall send it. As to the sum to be paid I can say nothing, your Lordship being sole judge of that. You did not think the man I used to employ in receiving the money did right but Mr. Whitham is still there and I believe a fit man to remit it to, or Mr. Douglass of Caverse who is receiver may do it.

CAPT. A. CAMERON to [the EARL of OXFORD.]

1713-14, February 4.—I think it very great misfortune that I should be obliged to importune your Lordship for money and other business at the same time, which nothing would oblige me to but being threatened in terms of the paper I shewed your Lordship yesterday to which no answer will please them but money, although I have taken a great deal of pains with promises.

My Lord, since I am now a daily trouble to you (which I cannot as I am presently circumstanced evite though very far contrary to my inclinations), I earnestly entreat your Lordship may let me go where I can be of greater use as here, and the sooner I get my Commission the better in every respect.

I know that now about the sitting of the Parliament your Lordship will not only be more and more taken up with business of great importance but even importuned by others anent this affair designed by your Lordship for me.

I know likewise there are people soliciting Mr. Baron Scrope to make interest for them in this affair which I am informed makes him not so desirous I should have it. But I depend so much on your Lordship that I persuade myself since its come this length, that neither his interest or any others will have influence on your Lordship to the prejudice of

Yours, &c.

AD[AM] COKBURNE to his son ADAM COKBURNE, at Mr. Abraham Eltoun's, merchant in Bristol.

1714, February 11. Edinburgh.—Adam, I have yours of the 2nd and am glad you are in health, give my humble service to your master and Mr. Dundass. For some time the heads of the Highland clans have been receiving money by order of my Lord Starr and 'tis reported several parcels of arms have been imported for the use of Papists and non-jurors in the North, this with the height they arrived at upon the news of the Queen's illness, has very much alarmed honest Revolution folks here. The carrying arms from the Castle is true, but whither I cannot say, 'tis reported to the Tower. Should any disturbance happen in this place honest people and the interest of the present settlement are much to be regretted as so much exposed to the insults of enemies to both.

All friends are well, Mr. Dundass has an answer from the Doctor before this.

[The EARL of MAR] to the EARL of OXFORD.

1713-14, February 11.—I have given your Lordship too much trouble already about the affair of my office, for by what I see daily I cannot but perceive it is designed I shall have no manner of business, and so an office is indeed needless.

When the Queen was pleased to give me the seals I saw how uneasy some people were at it upon the account, as they pretended, of my interfering with them in their business. To make the service easy, I have avoided all in my power to give the least suspicion that way and though for want of an office much business has not come to my hands yet some did, and whenever it had the least appearance of relation to any of the other offices I carried it to them and did not meddle in it. How I am treated on the other hand I leave your Lordship to judge. There is no office yet appointed me, those lodgings which fell vacant in the Queen's houses since I had the seals, given away without regard to my being provided; and I find there has been pains taken to make the Queen believe that I ought to have no other rooms appointed for my office but the house where I now live. The story of that house your Lordship knows, and I heartily wish the Queen would be pleased to pay me the money that it has cost me in repairs, and let her dispose of it as she pleases; and the Lord who has the other half of it will I am sure say the same, nay, for ready money we'll abate of the money we have actually laid out on it. So much as to an office. Next as to business. There has not much indeed occurred since I came in that could be said fell regularly much more to my share than to the others, but one thing was so plain, considering how I acted in the other things, that I could not but mind it a little: the Earl Marshal's business of the Horse Grenadiers—I believe scarce any other spoke of it to the Queen, your lordship, and the general, but myself. On Sunday se'night the Queen told me she had spoken to the Duke of Ormond to order the notification and he told me afterwards it was to be sent me, but just as I was setting about drawing the Commission I was told it was preparing in Mr. Bromley's office. There was another thing which I confess gave me a mortification. On Sunday last the Queen after Council, as your Lordship heard, called to Lord Bolingbroke and ordered him and Mr. Secretary Bromley to prepare the draught of her Speech, though this was for nothing but form, and that they may not perhaps have much more hand in the Speech than I, yet the order being given to them as Secretaries, and I not named, looked very like my having no commission of that kind, and it is very likely that it was no mistake of the Queen's but that it had been so designed before.

Believe me, it is not being out of humour or love to appear a man of much business that makes me mention such things to you, but since the Queen has thought fit to give me the seals I do not with submission think it for the honour of the service that the man who has them, be who he will, should appear a mere cipher. If it should not be so, your Lordship is the only man can help it, which makes me give you and you only this trouble and I'll propose nothing upon it.

After what I have told your Lordship forgive me for not putting my name to it, least the letter should escape the flames and it should be known afterwards who was so used, but your Lordship knows the hand and that I am unalterably and faithfully yours.

The Rev. W. Carstares to [the Earl of Oxford.]

1714, February 23. Edinburgh.—Begs that through his Lordship's charitable interposition with her Majesty some allowance may be given out of the Treasury in Scotland for the widow and four children of Major James Coult, of the Castle of Edinburgh, lately dead.

Wil. Blake to the Lord High Treasurer.

1713-14, March 8. Bristol.—The enclosed [*missing*] came from my Lord Ormiston one of the judges in Scotland to his son who is an apprentice to a merchant in this city. It passed through several hands before I could find the means to get it into my possession. It contains malicious reflections on the greatest statesman and best patriot, in the opinion of all honest men, that ever England produced. With indignation I observed them suck in the poison and snatched the letter out of their hands as soon as possible.

Your Lordship has a great many friends here and many enemies too, even in the Custom House, some whereof begin now to be ashamed while they observe the good effects of your wise administration. *Seal.*

P.S.—From a Land waiter in this port who had the honour to be recommended to your Lordship by my Lord Findlater's son to whom he had been tutor.

CAPT. A. CAMERON to [the EARL of OXFORD.]

1714, March 16. London.—I would never have presumed to give your Lordship so much trouble anent my circumstances in this place as I have done this while ago had I not been threatened daily, and if your Lordship had been pleased to have given me my dispatches this morning as I expected (by what your Lordship was pleased to tell me yesterday) it would have prevented my being taken up this afternoon by Baillies on the streets in whose custody I am at present.

I hope your Lordship does not forget that I have not been a month on end here since I came first up without asking your Lordship's commands, and that I likewise acquainted your Lordship how chargeable it would be for me to stay here. And your Lordship's answer was that you would take care of that.

My Lord I was obliged when my own money was done to apply to such as would serve me until your Lordship thought fit to give me your commands so as I might be in condition to pay them.

Your Lordship may believe that this affront a second time must be very shocking to me, and I depend that your Lordship will consider who is the origin of it, therefore waits impatiently for your Lordship's favourable return, which you may please send by Captain Ogilvie, when he waits of your Lordship to-morrow, who will give your Lordship the true state of the affair. I showed your Lordship formerly a letter I had from the attorney employed in this affair.

The SAME to the SAME.

1714, March 20.—I did not expect after your Lordship had done me the honour to present me to Her Majesty when I came first up and afterwards keeping me from time to time promising to make my charges easy, that my two years attendance and dependence on your Lordship would end in this manner.

I am very far from not acknowledging any favours ever I had of your Lordship but to the contrary I magnify them when and where I think it either for your honour or interest.

What money your Lordship has been pleased to give I do not at all disown but think it too much, if out of your own pocket, and at the same time as an allowance from Her Majesty for my charges here for two years I do indeed think it too little, for I still expected when your Lordship promised that you would take care of my charges while you was pleased to keep me here that it was to be allowed by the Queen which certainly would cost your Lordship but a word.

And with all submission I humbly presume these thousands of pounds given to those whose endeavours have been, and still is to destroy Her Majesty, your Lordship, and the present measures, whereas mine to the last drop of my blood would always be employed to support them, of which I have given such instances as has hitherto come in my way.

It appears your Lordship thinks this post and salary sufficient to make up all my losses and make me easy. If your Lordship had provided me in a solid post in the standing troops, I could have got money here to clear my charges on account of that post and not been obliged to trouble your Lordship thus. But on this post I can get none that will advance any they think it so precarious wherefore I hope if your Lordship, do it no other way, that you will be pleased to let me have the use of as much money as will clear me of this trouble and I shall give my Bill payable to your Lordship's order below. This I persuade myself your Lordship will comply with otherwise I am ruined there being none of my comrades or acquaintance here at present but those who are almost as scarce of money as I am myself. My wife delivers your Lordship this letter; to whom I send it sealed and who can tell your Lordship how much would relieve me at present.

The Rev. W. CARSTARES to the EARL of OXFORD.

1714, March 25. Edinburgh.—I beg your Lordship to allow the worthy bearer Mr. David Anderson, Professor of Divinity in King's College at Aberdeen, to have access to you that he may lay his case before you, which in my humble opinion is of such a nature that I could not give myself leave to think that Dr. Garden, his antagonist, would have troubled the House of Peers with an appeal about it; but he hath thought fit to do it to the great trouble and expense of Mr. Anderson who is truly a person of worth, great candour, well qualified for the post he is in, of a peaceable, calm, temper, and who hath an aversion to all meddling in affairs that are not within his sphere. He was called to the profession of Divinity at Aberdeen from a parish where he was comfortably settled and had the love of the people that were under his pastoral care, was legally settled in his present post, and lives peaceably with all the other masters of the College.

LORD CHIEF BARON J[OHN] SMITH to [the EARL of OXFORD.]

1714, March 30.—I think it hard that an honest gentleman should have without any just ground so foul an aspersion cast upon him as the justifying the execrable murder of King Charles the First, which I am informed has lately been reported of Mr. Whetham.

I have had a very long acquaintance with him and friendship for him, and never heard anything come from him but what bespoke him to be a man of very different principles from what the malice of such reporters would charge him with.

ALEXANDER ABERCROMBIE to [the EARL of OXFORD.]

1714, April 29. Westminster.—Your Lordship's not ordering my affair with the E. of Findlater, as you was pleased to promise, since I came up and my straits at home and here being far greater than I am willing to express and almost irrecoverable will, I hope, plead my excuse for thus importuning your Lordship and begging your answer to the enclosed memorial (*not here*) the truth whereof the Earl of Findlater can fully attest.

The Rev. JOHN STIRLING to the EARL of OXFORD.

1714, May 8. Edinburgh.—Though I doubt not your Lordship will have full accounts from others of our Assembly yet I could not but do myself the honour to acquaint you that I hope matters shall be managed with moderation and temper. We have already passed the answer to the Queen's letter, with a congratulatory address on her recovery, both which it is thought will be acceptable. The bold insults of the enemies of our constitution I suppose will make a representation to her Majesty necessary and unavoidable but your Lordship may be assured that due care will be taken to keep within bounds and that the Assembly may end to the Queen's satisfaction and so as to quiet the minds of people as far as can be, which shall be my hearty endeavour.

The Rev. WILLIAM CARSTARES to the EARL of OXFORD.

1714, May 8. Edinburgh.—This day our Assembly hath unanimously voted a dutiful and loyal return to her Majesty's gracious letter, and also an address congratulating her recovery from her late indisposition, both which are to be transmitted to your Lordship by this flying packet.

There were one or two things in them that her Majesty's Commissioner would have had altered and expressed in another way than they are, but finding that what was suggested as to the alteration was like to occasion debates he did prudently, with a true regard to her Majesty's service, forbear to insist upon it; and I must own that it was my earnest and humble request to his Grace that he would do so, and I have the vanity to think that you will be of the same mind, and will approve his conduct, and not be displeased with me.

I am apt to think there will be an address to her Majesty humbly representing the grievances this Church lies under from the insolence of enemies to our constitution; and indeed your Lordship cannot well imagine with what haughty confidence Jacobites manage themselves in this part of Britain, and how much they boast of their favour and interest; and how plainly it appears to be their design to tempt Presbyterians to irregularities, but they have hitherto been disappointed, and I hope it shall never be in their power to make us do anything that shall be undutiful to Her Majesty under whose Government we enjoy so many advantages.

It is true indeed that their open and bold talking of the Pretender as their king, and the many indications they give of their inveterate hatred and malice against the Presbyterians, have put these upon providing themselves with arms, that they may not be exposed naked and without all defence to their rage, whenever they shall find an opportunity by another invasion or any other way to disturb the quiet of their country. From this arming they confidently take occasion to calumniate the Presbyterians as disloyal and having bad designs against her Majesty's government, while it is evident that they are almost the only faithful subjects her Majesty hath in Scotland.

Capt. A. Cameron to [the Earl of Oxford.]

1714, June 1. Edinburgh.—On my arrival here upwards of three weeks ago the Commissioners sent up a list of the leading officers conform to the warrant which I carried down from your Lordship. Those officers warrants are not come down as yet which is the greatest stop I have at present in going about that affair.

My Lord, I find by the instructions which is drawn up for me that I shall have a great deal of trouble in this business and no allowance for my extraordinary charges nor a clerk, although by my instructions I am obliged to write a great deal and to keep books.

It is surmised here that there is a design of making up a third independent Company, in place of Colonel Duncan Mc. Kenzie's, out of the additional men which the Parliament allowed to augment the number of the two independent Companies. If such a company be, it would suit my inclinations better than this post in the shape it is now in. Therefore seeing my view is to have some rank in the Army, which I might have by the command of this Company, I hope your Lordship and my Lord Mar will concert matters so as I may have it. I can give your Lordship no account at present from this Country worth while. Such as are here of the Squadron and their adherents makes a foolish noise to no purpose but to expose themselves; and though their party have got some arms of late amongst them their real strength is very insignificant which would soon appear if Her Majesty was pleased to give orders to repress them.

ALEXANDER ABERCROMBY to [the EARL of OXFORD.]

1714, June 3.—Though I am fully convinced you will make good your repeated promises both last year and this, yet truly my circumstances are such, as I represented to your Lordship in a memorial some time ago, that I cannot any longer bear the expense of attending; and, therefore, am necessitate to go beginning of next week by sea for Scotland and whenever my attending can be of use to your Lordship you may still command it and all the service in my power.

The Rev. WILLIAM CARSTARES to the EARL of OXFORD.

1714, June 5. Edinburgh.—For the satisfaction of a very worthy, reverend, and aged, minister whom I have particularly known for many years, Mr. William Veitch, minister at Dumfries, of whom you have heard more than once by the late Dr. Hutton, I take the liberty to apply to your Lordship. His son was Governor of Annapolis in America, and is now in London to clear his public accounts and to obtain his arrears; and it is hoped that he may have your kind assistance in an affair that is of so great importance to him. His aged father is greatly concerned for him, he being his only son now alive, and looking upon him as entirely ruined as to worldly concerns, if he shall not get his arrears.

The bill for resuming grants upon the Bishops' rents in Scotland doth cause a great alarm here, and many petitions are getting ready, craving to be heard by counsel before the bill pass. How far it may extend to the emoluments of the Chapel Royal, which I have the gift of as her Majesty's Chaplain, I know not, but I do not resolve to petition the Parliament for being heard as to my particular concern, but do intend to acquiesce in whatever her Majesty shall think fit to determine as to my interest in this matter. I owed my gift at first to King William's goodness, and then to her Majesty's favour.

LORD CHIEF BARON SMITH and BARON SCROPE to [the EARL of OXFORD.]

1714, July 3. [Edinburgh.]—We presume your Lordship hath before this heard of what happened at Leith on Sunday last in the afternoon, upon the account of a seizure which was in possession of one of the officers who made it in his own house, and which a mob of many hundreds of people attempted to take away by force by breaking into the house.

The officers were forced to call in the military aid for their protection, who resolutely made good the seizure but in their own defence were forced to make use of their fire-arms after all gentler methods proved ineffectual, and it happened that thereby some of the assailants were wounded, and one or two of them are since dead.

We are sorry we must say that long experience hath convinced us that the officers of the revenue are like to have no efficient aid from the civil power, they often excuse themselves by want of power, but by many circumstances it appears they rather want inclination, for where their aid hath been required, it generally hath carried with it a notice to the offenders to get off their goods, before they can be got to do their duty.

The regiment now here shows a hearty disposition to give all proper assistance to the officers of the revenue, and have managed themselves with great temper and prudence in the carrying on that assistance, and ought therefore to be countenanced and encouraged.

We doubt not but for that reason many will be endeavouring to get them removed, but it is in our opinion the best reason for keeping them here, and adding, if it may be, some more to them, which will best secure the revenue and the quiet of the country.

The Earl of Mar to the Earl of Oxford.

1714, July 9.—"It is a pain to me to give your Lordship any trouble, particularly about my own concerns, at any time but more especially at this time when you must needs be very much taken up about affairs of much greater consequence, but necessity forces me to put your Lordship in mind of what I lately presumed to write to you about the money owing me, and I beg your Lordship may be pleased to order it for me the beginning of next week, for if I get it not then, it will be of the utmost inconvenience to me upon this occasion and since upon what your Lordship was pleased to say to me upon it I thought I had reason to depend on it.

I will trouble you no further now only allow me to wish you success in all your affairs particularly at this time upon the account of the public as well as that of your own and friends, and I wish I could have been of any use in conducing towards it. The little interest I have has ever been employed that way since I have had the honour to be known to you, and your Lordship shall ever find the grateful sense I have of all the favours you have been pleased to shew me.

When your Lordship is at leisure there are a great many things with respect to Scotland that I would gladly talk of with you and which are necessary to be despatched and people there will expect to hear of them now that Parliament is up."

Unsigned.

The Same to the Same.

1714, July 12. Whitehall.—"My brother's signature which I spoke to you of last night night is in Mr. Taylor's hands. It is of consequence to him to have it pass in exchequer this term and unless it go by the Tuesday's post, or the Thursday's at furthest, it will come too late, therefore I beg your Lordship may get it dispatched.

There is a clause in the signature which is not ordinary, but the Barons would needs have it put in, as your Lordship will see by the memorials concerning the harbour, and rather than have his signature delayed he consented to it, but it makes him pretty uneasy, if your Lordship upon considering it, think it could be dispensed with and left out of the signature it would be a mighty favour to him, but this is submitted to your Lordship entirely.

I told your Lordship the occasion I have for money this week and if I get it not to-day or to-morrow it will be a very great inconvenience to me and I shall not know what to do, having entirely trusted to it upon what your Lordship was pleased to say to me upon it some time ago, therefore I earnestly beg that your Lordship will be pleased to order for me to-day what I presumed to mention in my last. Were it not upon this occasion I should not be so pressing and I hope your Lordship will forgive my being so.

Lord Dupplin has been so good to promise me to be with me at my affair. If your Lordship have any commands for him I can send them to-morrow, for I am then to write to him to meet me at Twittenhame on Thursday.

If there be a Council this evening, may I beg your Lordship to make my excuse to the Queen for not attending ? I being engaged to go about the signature of my papers at that time, one of our lawyers being obliged to go out of town to-morrow morning. I asked the Queen's leave for my affair some days ago.

All success attend your Lordship in your great affairs which is all I will now trouble you with."

[*Enclosure.*]

Lord Justice Clark to the Earl of Mar.

1714, April 27. Edinburgh.—"I must at Mr. Anderson's desire give you a piece of needless trouble. I call it so, because I know your kindness both for the gentleman and his project, and that nobody needs recommend either to you. But since he desires me I very cheerfully comply to write of what I wish so well. I humbly think that his labours will make a study which hitherto has been so involved in difficulties and obscured with dust and rubbish that few had patience or time to apply to it, now become so easy and delightful, that it will be reckoned a shame for any man of business among us to be so ignorant of it as almost all of us are at present. Besides the advantages to History, this in my humble opinion will be of no small use in private business ; and when so great profit is joined with things of so much curiosity one would think that the design cannot fail to be agreeable to everybody's taste. We have too often seen that the better an undertaking was the less encouragement has it met with, as if the world were afraid of being improved and mankind angry at those who take pains to do them good. But I hope Mr. Anderson shall have a fate more worthy of him. My Lord Treasurer is as remarkable for his favour to learning and particularly to this part of it, as for those great talents in politics which Britain and all Europe are so happily sensible of, and how easy will it be for his Lordship to put Mr. Anderson out of the number of those ingenious men, who have in all ages, fruitlessly complained that nobody labours for the advantage of him who labours for the good of all ? and who can doubt but a Lord Treasurer, so great an encourager of learning and himself so learned, will do this for one who deserves so well of the learned world ? There is still another argument which persuades me that Mr. Anderson shall be more handsomely rewarded than many of great deserving have sometimes been. His study is peculiarly for the honour of the Queen and her royal ancestors ; and will therefore I persuade myself be promoted, and the author supported by her Majesty and all of you who have the honour to serve her. His case would be singularly hard should it, by any strange accident, fare otherwise with him, for I can attest from my own knowledge, that to prosecute this study he has thrown himself out of an employment by which he not only could have subsisted comfortably, but indeed could hardly have missed to make a good estate ; as several among us have done by the same employment, who neither understood it so well nor had so good occasions. He was, when he left it, among the first rate, not only for skill but multitude of business ; and had he still continued, there had none been now to come near him. And how hard it will be if a man be neglected by the public, who has left serving himself that he might entirely serve it ? But delays are ruinous as well as uneasy to a man's mind and a seasonable assistance may often do a man as much service as twice as much could do a year or two thereafter. Mr. Anderson goes for London in a day or two. I leave him to tell you his own story but he wishes for dispatch ; which will not only be a favour to all of us who may thereby hope the sooner to see his performances published. I have troubled you more than I thought or needed to have done, but one insensibly goes on when the subject pleases him."

The Earl of Mar to the Earl of Oxford.

1714, July 14. Cockpit.—"The Queen spoke to me the other day of the Commission of Trade in Scotland and asked where it stopped. I told her that the Attorney and Solicitor General had some objections to it, but that the principal one was, there being a Commission of Trade here for Great Britain, it seemed inconsistent to have one in Scotland for that part of the kingdom separately. I presumed to offer to her Majesty that by what had lately happened in the Commission of Trade here, it seemed probable that her Majesty would think proper to give a new commission, and I submitted to her if that new commission might not be for England and the Plantations only and then the principal objection to the Scots commission would be removed and in my opinion no inconvenience by it to the commission here. Her Majesty seemed to relish this expedient, but I desired her Majesty might speak of it to your Lordship who can give her the best advice in it. If she forgets to mention it to your Lordship I wish you would be pleased to do it to her soon that the new commission here may not pass in a hurry just as it was and by that this expedient would be lost, I mean only if your Lordship approves of it.

I am sorry your Lordship has any objection to my brother's signature upon account of that of the fishing. If your Lordship will be pleased to reconsider it, you will find that it is of no prejudice to his neighbours. It is but confirming his right to what his Authors had undoubted right to by so long a possession as sixty years, and it will be of real advantage to that fishing, for if he do not take care of it it will go to ruin. I know the place particularly myself which makes me say this with more assurance. I beg your Lordship's favour in it to get it despatched soon.

E. Northesk, Lords Kilsyth and Balmerino, are mighty desirous to be dispatched which they press me to mention to your Lordship.

I beg your Lordship may be pleased to think of my own affair which I have so often troubled you with of late. My affair is put off till Tuesday next, but I beg your Lordship may not put off my payment, the delay of it is of more inconvenience to me than I will trouble your Lordship with now.

I beg your Lordship's pardon that I do not dine with you to-day as you were pleased to desire me, I having an appointment between five and six this afternoon that I am obliged to keep precisely.

If your Lordship could be at leisure any time this week I would be very glad of an opportunity of talking with you of several things relating to Scotland, which are necessary to be resolved upon and dispatched.

I beg to know what answer I should give to this letter of Lord Johnston which I had yesterday."

The Same to the Same.

1714, July 18. Sunday.—"If I had had an opportunity yesterday I was to have spoken to your Lordship at the Duchess of Monmouth's desire of Mr. Dungworth her chaplain. She is very solicitous for the rectory of Waddingham to him, even more than it were a thing of more value because of its convenience to him in lying next to his own living and being in his own country. I have mentioned it to the Queen twice and I believe her Majesty has not yet disposed of it otherwise. If your Lordship would be pleased to speak to the Queen in Mr. Dungworth's favour it would oblige her Grace I believe more than a favour of more consequence.

The Queen has been pleased to allow me to go to the country and dispense with my attendance this week. If your Lordship have any commands for me, if you please to send them to my office they will be immediately sent to me at Twittinham where I am just now going they shall be faithfully obeyed."

The Same to the Same.

1714, September 1. Twickenham.—My brother, who is come to London, is so desirous of being introduced to your Lordship that not being to be in town myself for a day or two I presume to do it this way.

There will be great endeavours against him for his place of Justice Clerk, particularly for that man-hater Ormiston who had it before, so he will want your Lordship's protection. If he were not my brother I could say a great many good things of him. I am sure none is fitter for that place, and Ormiston being no 'lawer' (not so much as Judge Dormer) is no way qualified for it, and it is a cruel thing to put a man into such a post where life and death are concerned. My good friend Lord Ilay himself says that he has no fault but being my brother which I know is fault enough with him.

I have presumed to write to the King, a copy of which I shall show your Lordship when I come to town.

By none of our three Scots kings speaking the least thing to me of our elections there, I presume they are agreeing about them among themselves, and do exclude all or most of us who have been in the Queen's service or the parliament these four years past; but if the Court give not their influence very strongly that way they will not have strength to carry it so by themselves and their own friends; and how prudent a measure it would be for the King to be so partial to that set I leave to your Lordship to judge; but more of this when I meet with you.

I hear Lord Bolingbroke is laid aside by a letter from the King himself. Since turnings out are begun before the King comes over perhaps more of us may expect it too, and I amongst the rest; but I have not yet heard anything of it. I hope my letter will be sent to him, I recommended it last night to Mr. Bromley who I am told sent it to Bothmar, who it seems forwards all the King's letters.

The Same to the Same.

1714, September 16. Thursday morning.—I am very sorry I had the misfortune to miss the honour your Lordship intended me yesterday, I have long wished to have an opportunity to talk with you and have often called.

I find Cameron has been here in London, and by his not seeing me together with some reasons I have to suspect him by accounts from Scotland I apprehend he has been tampering with some people here who wish not very well either to your Lordship or to your humble servant. His sudden going away makes it plain he has something to work there, which makes it necessary that folks there should be put on their guard against him ; but before I write about it I beg to know of your Lordship if you know anything about him. It is very ungrate in him if he did not wait on you, and perhaps my information of him may be wrong, or I mistaken about him.

Perhaps I may be in the black box which, the town talks, is to be opened as soon as the Kings gets account of the King his being in the River. If so I shall have time enough to write at night, for I do not think it would be respectful to the King for me to attend him upon that occasion if I be under his displeasure.

The SAME to the SAME.

1714, October 29. Whitehall.—My Lord Lyon being now to go for Scotland he desired me to speak to Mr. Pringle of that affair of the profits of the Signet being divided amongst them two and Mr. Cochran of Kilmarnock the time that Mr. Cochran and Mr. Pringle had that commission. I had spoken to Mr. Pringle of it some time ago and he acknowledged that your Lordship had spoken to him of it at the time that commission was given, but when I spoke to him of it now, he does not seem so clear in it. Your Lordship told my Lord Lyon and me so often of its being to be divided amongst them three equally notwithstanding of Lord Lyon's not being in the Commission, that Lord Lyon had ever relied on its being made good to him by the other two, and it would indeed be very unjust if they should not do so, but there will be no way to get them to do it unless your Lordship will be pleased to write me a letter which I may shew them telling it was so designed and if your Lordship will be so good to do so I am persuaded they cannot refuse doing it.

I hope it will be no inconvenience for you to write such a letter and I beg you may do it soon for Lord Lyon goes away on Monday and I should be glad to have it settled betwixt him and John Pringle before he went.

I shall be glad to know when your Lordship thinks of going out of town and I hope you will allow me an opportunity to receive your commands before you go. *Signed*, Mar.

[The EARL of MAR] to [the EARL of OXFORD.]

1714-5, January 18, four o'clock.—I saw Lord Strafford to-day at Court, giving a petition to the King concerning his regiment. I chanced to tell him that I had seen your Lordship yesterday, he asked very kindly about you and said he would certainly have gone to wait on you before this, if it had not been that on account of a certain affair betwixt him and Lord Mar[lborou]gh, he had laid down for a rule when he came first over to go see nobody but those who came to see him first, I told him that you had been ill and that you asked me very kindly about him. This I thought was fit to let you know.

I have taken leave of the King, and am to endeavour to do so to-morrow of the Prince and Princess. If he should chance to tell me of that affair being stopped which I think so hard upon me, and of which he at my audience had spoken so favourably, I believe I should stay Thursday; but this is what I scarce expect.

I wish your Lordship a good journey and all happiness.

SCOTLAND—continued.

THE EARL of MAR to ROBERT HARLEY.

1709, Dec. 28.—I ought to be ashamed and ask pardon for being so long of acknowledging the favour of your most obliging letter. Waiting for Mr. Cunningham to be the bearer was really the reason, but since he is not yet come, I could delay no longer. I have been obliged to you for many favours, but particularly for your taking care of that affair in so kind a manner of which we spoke. I have not had occasion since to see what effect it has had, but whatsoever it be the obligation is the same to me, and I will be ready to acknowledge it upon all occasions. The story you have heard of that new friendship is not so, but I suspect from whence it proceeds, I doubt if such a friendship could either be sincere or lasting, and you need not be afraid of it. I shall wait of you one of these days and talk over this affair with you, in which I think I can give you and your friends satisfaction. I do not wonder of the two lords you mention taking pains now to make the party they are not joined with believe they will be with them after they are fixed, for they see the party they are with do not altogether answer their expectations and are not quite so strong as they expected. If your folks depend on the sincerity of the one as little as most folks do of the other they will not be easily catcht with their pretences towards you, but I will say no more of all this till I see you. I seldom fail to look at every Observator, and I perceive by the turn of that on Saturday last that the last of the two pamphlets he mentions has been wrote by the same hand, neither the one or other is worth answering. I hope you will mind to let me know which of those people you wrote down we may hope to be for us and which otherwise. I have not heard again directly from my friend at Edinburgh, but from another that the gout has seized him again, but the other I believe is on the road, and will be here in a few days, he will be disappointed when he does not find another in town, but I hope they will soon. I wish you and them a Happy Christmas and many which is all I'll now trouble you with. Our friend, Mr. Cunningham is just come to me in time to be the bearer of this.

1710, June 24.—Report of a Committee of the House of Commons, upon the petition of John Sandes esquire, Elizabeth, his wife, and Elizabeth their daughter, that Arthur Moore esquire (a member of this House) may waive his privilege, that that they may have leave to proceed against him, touching their demands therein mentioned, that the petition is frivolous and vexatious.

J[OHN] SCROPE, Baron of the Exchequer, to ROBERT HARLEY, Chancellor of the Exchequer.

1710, August 12.—With great pleasure I received the news of my having the honour of having you for one of my masters, under whose protection I promise myself much more satisfaction in the service I am engaged in, than hitherto I have met with.

I beg leave to wish you all imaginable content and success in whatever you undertake, and to assure you that you shall always be attended with the utmost duty and service that is in the power of your, &c.

Paul Jodrell to Robert Harley.

1710. August 12. Chancery Lane.—I was to wait upon you some days since to pay my duty and service to you and congratulate you upon the honour you have of the new employments Her Majesty has been pleased to confer upon you as a mark of her great esteem for you and to wish you all happiness in the long enjoyment of them and the public the advantage of your services, as I heartily do hereby, I, having lately (as I presume you may have heard) been indisposed with an intermitting fever and several returns of it (but at present pretty well recovered though still in a course to prevent future ones), have been advised to retire into Oxfordshire (whither I lately married a daughter) for a little time with my family. But if any opportunity shall happen and I or any of mine may be thought capable and worthy of being any way serviceable to the public or you, Sir! I humbly presume to desire your favour towards us as you shall think most proper (my long attendance in parliament having considerably worsted my other business) and I humbly offer our services accordingly. I am persuaded in regard I have the honour to be known to all the rest of the Board that they will concur and join in anything that may be for the advantage of your most obedient, &c., Paul Jodrell. *Seal.*

The Rev. W. Carstares to Robert Harley.

1710, August 15. Edinburgh.—I could not read the very obliging letter you were pleased to honour me with and not blush at my rude carriage to one of your character and to whom I owe so much. Your gentle reproof makes me more sensible of my miscarriage than many severe words from another could have done; but you have had the goodness to make such an excuse for my fault that I hope you have already pardoned it, and I can say no more for myself than you have done.

I cannot but own to you that the unexpected turn in the public management in a juncture when a war seemed to be drawing towards a happy conclusion, when the public credit seemed to be on so good a foot, and when her Majesty had so loyal a parliament, hath caused a great alarm amongst many here that are well affected to her Majesty's government and her royal person, and there are two things in particular that do increase their fears as to what at last may be the consequence of present measures—one is the nature of many addresses in England, and the other is the boasting and hopes of Jacobites. As for myself I hope I shall never be found precipitantly to censure public measures which I very well know may have quite other springs than men at first view may be apt to imagine, and I hope it shall be my endeavour to manage myself suitably to the duty that I owe to her Majesty as my lawful sovereign and to the obligations of gratitude she hath in her great goodness brought me under.

Allow me to tell you without any disguise that I myself should have been possessed with far greater fears in this juncture had I not found that you were concerned in the present management. I have had the honour to know you so well that I should be very unworthy if I were so uncharitable as not to look upon you as a firm friend to the interest of the Revolution and the Protestant succession, in the settling whereof you were so happy an instrument that in a good measure it was your creature, and I persuade myself that our church will never suffer any prejudice from your management. I cannot also but hope that places of power and trust in this part of the Island be filled, as there shall be vacancies, with men from whom our church may expect kindness and protection.

I shall not trouble you with the apprehensions that many have that yourself and your friends who are concerned for the quiet of her Majesty's government and the present settlement may be obliged to join with others who being of other principles may at last overpower you, and hinder you doing that public good which you would; but what you have insinuated as to this particular in your letter doth give me no small ease, and I heartily pray that it may be always in your power to answer your own inclinations in preventing what is feared in this matter.

I did meet with much civility from some of those who were in the ministry, and it was through your kindness that it was so as to one of them, and I hope that nothing in my carriage that shall only have a regard to civility and gratitude shall be mistaken by you.

P.S.—I am to go to Scarborough Wells to-morrow for my health to return in five or six weeks at furthest.

Elections in Scotland.

1710, August 17.—Note of some particulars to be adjusted in relation to the elections in Scotland.

The Duke of Hamilton.
The Duke of Montrose and Mr. Baylie.
The Duke of Queensberry.
The Earl of Glasgow.
The Duke of Argyle and Earl of Ilay.
The Earl of Stair and his people.
The Earl of Leven.

The Earl of Seafield.

The Earl of Lithgow to have Blackness Castle upon his going right.

Lord Balmerino either to have Lord Lauderdale's place upon his going wrong, or the assurance of a pension to the value of it.

The Earl of Northesk to be provided for, in Mr. Baylie's place if he go out.

The pensions as formerly proposed.

The Board of Customs and Excise in Scotland to be altered at least in some measure. *In Mar's handwriting.*

The EARL of MAR to [ROBERT HARLEY.]

[1710, August 20.]—Sunday. I had just now a letter from Lord Dupplin, and by his father's desire, recommending Sir William Catherwood to a place in the session now vacant by the death of the Earl of Lauderdale and I doubt not but they have wrote of it to you. I will tell you how I am circumstanced in that affair and leave you to judge of it. When the Court of Exchequer in Scotland was a constituting, the Queen promised me one of the Barons places for Mr. David Erskine an advocate of very good practice and employment there, he kept the signet under me when I was in the secretary office and was very useful to our party.

The Treasurer at that time too promised me to concur for Mr. Erskine as did also the Duke of Queensberry and E. Loudoun; so I thought it absolutely sure and wrote so to the gentleman, but when the members of that court came to be named, the Duke of Argyll recommended one Mr. Maitland and there being no place for him, but what was promised, and the Duke of Argyll being very much concerned at it, I yielded my friend's pretensions in favour of that of the D. of Argyll's to keep the Duke right and in friendship with us. The Queen was pleased with this, for it made her easy in this affair, so to make my friend some amends she was pleased to promise him the first vacant place in the session. The next that fell in that Court E. Loudoun pretended to recommend one as having never made one since he was in the Queen's service, to keep our friends all right amongst ourselves I again yielded my friends pretensions, at which he was so much disappointed and thought himself slighted and that I neglected him that, should I yield his pretensions again, I would certainly lose him entirely which would be a very great loss for he is very useful to me. At the time Lord Loudoun recommended, his man was not liked and Seafield got another put in the session and Loudoun got George Dalrimple made a Baron of the Exchequer, a place falling vacant by Smith's being made Chief Baron. The Treasurer at that time would have had me to recommend Mr. Erskine to the Exchequer in opposition to George Dalrimple, but I thought that would be mortifying to E. Loudoun, so I would not do it, though I gave him my advice as to the man he recommended which he was not pleased to take. When Mr. Erskine was to have been a Lord of Session, the Duke of Queensberry proposed to me that a friend of his in the Exchequer one Baron Clark should be in the Session and my friend in the Exchequer which for his ease I agreed to and very probably he will renew this proposal now. Lord Ilay before he went away told me that he and his brother were sensible of the favour of my yielding my friend's pretensions to theirs formerly so that the first vacancy that fell in Session or Exchequer they would be for my friend, but if I pleased they would be glad that their friend Baron Maitland might be of the Session and Mr. Erskine in the Exchequer in Maitland's place, so now if Mr. Erskine shall be put in the Exchequer the Duke of Queensberry and Lord Ilay will probably have a struggle which of their friends shall be of the Session.

When Lord Dartmouth was made Secretary I designed Mr. Erskine for his keeper of the signet and the D. of Queensberry and Lord Ilay both desired me to do it, but I fancied that you would be concerned about Sir Will. Catherwood upon Kinnoul and Dupplin's account, so I would not recommend my friend to this nor bring him any way into competition with Sir William for it. I acknowledge Sir William is a very good man and very well qualified for a judge and were it not my long engagements to Mr. Erskine there is no man I would sooner be for, but you see how I am circumstanced and if I should neglect Mr. Erskine again now what a loss it would be to me and I am sure when I let Kinnoul and Dupplin know how I am stated in it they cannot take my recommending Mr. Erskine at this time preferable to anybody.

I will trouble you no more with it and I ask pardon for this tedious detail, though I thought it necessary to let you know the true state of it. E. Lauderdale's place in the Mint you know was designed by all for Lord Balmerino and the sooner he now get it the better, he is a man can be very useful in the elections and will be chosen himself and his getting this will save a pretty considerable pension the Queen designed him. I am obliged to go this day to a christening in the country where I am just going but to-morrow I will be glad to know where and when I can see you.

Pray remember the Duke of Hamilton, for he is very uneasy that he is not spoken to. Mr. Cunningham is the bearer.

The D. of Queensberry is very earnest that you would put an end to that affair of the Duke of Douglas."

[THE EARL OF MAR to ROBERT HARLEY.]

[1710, August 21.] Monday, one o'clock.—I just now had yours and shall obey it to-morrow. I cannot think you will gain much by the Parliament's meeting some days sooner than we agreed on the other day, and it would put us in a strange hurry in Scotland and make it impossible for us to be back here at the sitting down of the Parliament, which I fear might be a loss to you. For God's sake send us soon away, for we will have little enough time even the way we agreed to the other day. I send my coach away to-morrow that I may go the quicker.

I shall talk with Ilay on his affair with Crom[artie] which you mention. I should be glad to speak with you to-morrow afternoon by ourselves if you can find time for it. There are a great many things to be considered and some determination taken in them before we go, and there is little time for it. I wish you were resolved about them before the D. of A[rgyll] comes over else you will find more trouble. The D. of Queensberry is positively resolved not to go to Scotland unless the Queen absolutely force him, so you must consider who is to have the chief direction there, for if that be left uncertain it cannot fail of bad effects ; and also who shall have the trust of the pensions which are absolutely necessary to be given The Duke of Ha[milton] is very uneasy that the Queen does not send for him, as he says you said she was to do, and the more that you forbad him to go there till then. If you give not him some other place than the Lieutenancy I am afraid he will not play fair with us, and you see by our accounts from Scotland how necessary it is at this time to have him, and it is evident how much your affairs depend on the right returns from Scotland.

I wish you would come to a resolution as to Lord Stair, for he is going down and if you do it not before that and the Queen declare her pleasure to him, it will do a great deal of hurt ; and I long to know your resolution as to the Duke of Montrose and what way you will dispose of his employment if he be changed. Lords Ilay and Orrery will I suppose tell you their opinion pretty plainly where you are to meet them to-day. If you do not take some time to consider of the affairs of Scotland soon, I am afraid they will go entirely wrong. I acknowledge they are in an odd way just now. For my own share I am perfectly easy, do what you think best for the interest in general, and I shall be pleased be what it will. Lord Loudoun tells me his affair is not yet done and he cannot go till it is and he is unwilling to be troublesome by teasing you about it. *Seal.*

The SAME to the SAME.

[1710 ?], Tuesday night.—" Upon what my Lord Dupplin told me your Lordship had spoke to him this afternoon, I have written to my brother to speak to all our countrymen in Scotland who are of the Parliament to make what haste up they can and that such of our peers who cannot be here against it meet to give their proxies and he to send them up by another flying packet. I have written as fully and pressingly as I can and I hope their proxies, at least may be here in time, but I am afraid few of themselves will be so.

I am still more afraid of the D. of Brandon's affair, as I find all your Lordship's friends are, and, if the Queen herself and your Lordship do not speak earnestly and firmly of that point soon to such Lords who may be wrought upon, I fear all pains that can be taken will be too late when we meet next, but your Lordship knows this and all the consequences of it best, so I ask pardon for troubling you about it.

My Lord Dumbarton is really starving and has not wherewith to buy his dinner, most of what your Lordship gave him last he being necessitated to give where he was owing to such people who would not let him live else.

When your Lordship is pleased to give him anything, I wish you would think fit to put in my Lord Morton's hands who would manage it for him better than he can. He is told that there is now a regiment in Portugal vacant by ffranks being broke, and Gen. Wood's Lieut. Colonel Armstrong is dead. If any of those posts could be given him, it would ease the Queen and your Lordship of any more trouble from him and put him in a way of doing for himself and not idling away his time. Since the Queen brought him over she cannot but maintain him and really just now he is in a sad way.

Poor old Ran—is some better, if your Lordship would be pleased to do anything in that affair he wrote of to your Lordship in that letter I delivered, it would do him more good than all his doctors can do and would really be charity for it sits mighty heavy on his mind. Pardon me if I beg your Lordship for all these troubles from one who by no means inclines to be troublesome to your Lordship.

In case Lord Kinnoul be not come off I have written to him too.

I hope your Lordship will not forget Lord Lithgow's and Lord Strathmore's commissions, since they were wrote of they will be expected, and if they come not it will be yet the greatest disappointment and look very odd.

I hope your Lordship will give orders to Sir Thom. ffrankland to dispatch this immediately by a flying packet."

The Same to the Same.

[1710], Tuesday, 6 o'clock.—Since I saw you Sir H. Paterson gave me the enclosed [*not here*] he had last post from E. Lithgow which I thought fit to send you that you may see his resolutions as to what we were speaking of to-day. I see he is more fond of being elected than I believed he was; and, if there be another set up for, I am afraid we not only lose him but a great many in that interest, so I wish heartily your lordship bring it about that he be the man the Q. recommends. The enclosed [*not here*] is occasioned by Sir Hugh's writing to him, which was of himself, that some people gave out here and particularly D. H[amilton] that he [Lithgow] had no mind for it. I assure your Lordship that there is more depends on this affair (though a trifle) than one can imagine to keep that party there firm to your measures which is my only concern in it or the person to be chosen—always excepting the person we spoke of, and this with submission. When we meet to-morrow I will tell you my reason why I think it impracticable at this time to do anything in the House of Lords to advantage towards setting anything right this session as to the Scots peers ; and this is but a new thought upon talking with some of my countrymen since I wrote to you of that affair. I am to wait on you at your levee to-morrow with Sir Hugh Paterson who is to ask your commands for Scotland. He goes on Thursday and my young gentleman with him. You know he is of the commission ; and, if there be any payments to be made of their salaries, I believe it would not come amiss to him before he goes, but the saying is that a man cannot wive and thrive in a year.

The Same to the Same.

1710, August 25. Friday.—Fearing that you could not be met with to-day, I spoke with Mr. St. John and desired he might tell you of an affair lying before the Treasury. It is a report from the Barons of Exchequer in Scotland concerning the gift of bastardy of one Douglas in Aberdeen. Very unjustly there was 300*l.* designed to be given out of it (which indeed is almost the whole it will amount to) to Abercrombie, a creature of Seafield's and that alone was the reason for it. Several asked it and amongst others two friends of mine, but the town of Aberdeen having the best title to claim the favour, the man having been educated by the town charity, I would not apply for any of my friends but did in favour of the town though to no purpose. It is yet in the Queen's power to give it to whom she pleases, and, if it be given to the town, it is but in a manner justice, and it will secure that election, I hope, and Doctor Arbuthnot inclines to set up there. The sooner we could write to the town that they will get it the better, though they must not be put in possession of it till after their good behaviour in the elections.

Mr. St. John will tell you of what passed betwixt the Duke of Hamilton and me last night and to-day, but notwithstanding that if you will set about getting him immediately you will succeed even without the peerage at this time, but then he must have some refreshment and some public mark of favour, as the Duchy and Lieutenancy there, or what else you think proper. I only say this as I apprehend it myself, for I never talked with him of it nor must he know that it comes from me. You'll see by the enclosed (*missing*) which I had to-day how necessary it is to have him, and if you do not end with him very soon I am afraid we may lose him, and that we would repent when we cannot help.

I have put off writing to Lord Northesk a long time till I knew the certainty of that affair, and he'll be angry that he hears not from me, and will be so too when I write, if I do not tell him of something to be done for him. He is a pretty fellow and of a good spirit, can be very useful in the elections of both peers and commoners, and has been very ill-used. I should write to him by to-morrow's post for his concurrence and assistance in some elections but I know not how to do it if I have nothing to tell him for himself; so pray think of this.

CONSIDERATIONS in regard to a PROPOSAL for a DESCENT on HAVANA.

1710, September 2. London.—According to the hint you gave me the other day, I have digested a short *Schetz* for attempting the Havanna, the only place in my poor opinion, proper to venture upon, or to be at any charge for.

The possession of this place will do whatever else may be thought fit to ask of the Spanish Government, for all the treasure, and blood, this Nation has spent in the defence of their liberties, and of all Europe.

I am informed the land immediately to the westward of that Harbour is of easy ascent not rocky nor steep, and the shore approachable by good soundings (as to the sea) close to the same.

If this be so the nearer the landing of Forces is to the town, the surer is the success. Colonel Venables lost the best part of his people, the town of Domingo, and the whole Island of Hispaniola, by not landing his men in the face of his Enemy, so soon as he approached the place.

For it is of great moment to employ quickly the vigour of men's minds, while warm in their imagination and in view of what they have to do, for to take some distance to disembark under pretence of more safety (as Venables did), the fatigue of marching in a hot, wild, and barren, country, as those Colonies are, men not only lose their vigour, but they are dead before they can face their enemy, while in the same time they recover from their fright, and gather courage to resist with less amazement, and more judgement.

I have formed the appearance of success, and the difficulties in the way to it, in my mind, with the utmost caution, and cannot persuade myself but the path that leads to it, is very safe and certain, limited under those circumstances I have laid down for the due execution of it.

It is but a few years ago that all men's opinion were tenaciously negative to a possibility of running three thousand leagues of sea (in a Round) in the space of one hundred days. But when it was permitted to a trial, the first voyage was done in one hundred and four days and the second in ninety-two days by two masters that commanded, neither of which at any time had passed the Atlantic Sea or knew how to take an observation since which fact the running ships have learnt the way by the Windward passage from Jamaica which among traders before that time had been esteemed for its dangers like to the Scylla and Charybdis of the Ancients.

I am absolutely against touching at any of our Islands: there will never want pretences for delay, men will find temptation to ease and refreshment among their own Clan, but where they are strangers, they will be more willing to go on, for they will have refreshment enough, if they find water (as no doubt they will) at the places I have named.

Ponti was saved at Carthagena by Nevill's going forty leagues to leeward to Portugal, on pretence some of his squadron wanted water, for when he was there he could neither get out of port, nor to windward, not only not time enough to prevent the sacking of the town, but even the carrying off the booty, whereby when he bore away for Jamaica he might in eighteen or twenty hours' time have come up with and destroyed that squadron, at least prevented the pillage.

I instance these things only to observe there is but little distances between doing them well or ill, one moment saved, lost, or misapplied, determines success or disappointment: of which last occurrence we have had in our late and present war so many reproachful examples of misconduct, that one would wonder that neither shame to the faulty, nor disgrace to the nation, have been yet capable to raise a spirit powerful enough to correct aggressors; or to redeem the discipline of the sea from the error men of interest and families have brought into it.

And after all when I muse upon the unhappy circumstances of our general conduct at sea, I am weary of thinking, and also of hoping success from the most plain and facile, never so well suggested and laid undertaking, under the present habits of the sea discipline.

Signature torn off.

SOME CONSIDERATIONS ABOUT FORMING A DESCENT IN THE SPANISH WEST INDIES.

The miscarriages which have and do happen to foreign enterprises, flow from two things generally, viz.: The discovery of the Project, with its circumstances: And the irresolution of the undertakers, when they believe their design known, by those they are to assault.

The loss of the Project to the River of Orinoco and of the author himself, was his discovery to the King the plan, and superstructure of that design and when at the place he in whom that Gentleman put his confidence seems rather to have been prevented by his own panic than the Enemy's strength.(1)

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(1) Sir Walter Raleigh. King James I. Capt. Kemish,

No capital enterprise against a people whose all may thereby be thought in danger, from an Enemy, can succeed well, if those who intend an assault do not disguise it with such circumstances as may confirm in others, views quite contrary to the real design. Therefore if it were intended to go to the River of Orinoco the Expedition should [have] made for the River of St. Lawrence.

Though it is a great way to any part of the Spanish West Indies, for a fit body of power to move to proper to command success ; yet a boat of sixty tons on a little fore-knowledge, is capable to render the best laid designs fruitless.

Wherefore if the secret can be sufficiently provided for, less strength will serve for the purpose ; and that will conduce to dispatch ; and if both be felicitated with a surprise suitable to an event entirely unforeseen, the success will be half gained on the very approach and the ' supines ' of the people whose chief security is more beholding to a well chosen situation than to Guards or Garrisons will give the rest, for their numbers in the open country are known to be but few, or enervated in spirit by the tyranny of the Spanish method of governing, upon whom a sudden assault in many instances hath been fatal to them.

If these observations may be proper hints in the forming any enterprise on the Spanish West Indies then a few others are to be considered. Namely—

Firstly—To what Place should such a design be directed to gain the most and best consequences.

Secondly—What time of the year is most healthy to preserve people's lives in the performance of it.

Thirdly—What strength may be thought sufficient to succeed.

Fourthly—Where collateral assistances may best be hoped for to fall in with it.

Lastly—Some considerations about the first outsetting and progress of the voyage.

To the First Article.—To what place, &c.

Answer—As there is but one tolerable passage from the Spanish West Indies, namely by the Gulf of Florida, the Spaniards have chosen two places in the mouth of it (all others we know they neglect) the Havanna and St. Augustine, by the one they refresh themselves when they come for Europe, and at the other in case of distress in their mast, they repair them ; for they cannot go back upon such disasters. This then is the gate from the Indies, which whoever possesses shall be able to give terms to all the Spanish trade in that part of the World.

Wherefore no acquisition situate about its north eastern sea, can afford so many and so effectual consequences in prejudice to all the intercourse with Mexico and Peru. Because the Ports of Carthagena, Porto-bello, Laveracruz and the Mexican Bay, the Vents of all the Indies, will thereby be blocked up, if the Havanna and St. Augustine be wrested from them.

To the Second Article—What time of the year, &c.

Answer—The Descent should be made by the middle of October or beginning of November possibly there may be but little difference between the beginning and end of this month, the rains will be over, and the cooler winds will be come in.

To the Third Article—What strength, &c.

Answer—The force contained in the annexed scheme may be sufficient. Mr. Ponti took Carthagena, a place less capable of surprise than the Havannah with less strength.

To the Fourth Article—Where collateral, &c.

Answer—Carolina for rice and all eatables, the Bahamas for salt, lie near and will afford sufficient at an easy charge, but if the attempt were anywhere else subsistence would be found difficult. The Scots at Darien miscarried more for want of food than through any other accident.

Lastly.—Concerning the outgoing and progress of the voyage :

Answer—The last departure should be from Cork in Ireland, or where live cattle, roots, and herbs, for refreshment may be taken in to serve ten, fifteen or more days of the voyage as well to lengthen the sea provisions, as to preserve health among the people.

Proper pilots for the River of St. Lawrence should be entertained openly, and such provided secretly who know sufficiently the old channel of the Bahamas ; namely the northern coast of Hispaniola and Cuba to the Havanna, because all our own plantations should be avoided.

By this disposition of things the voyage from Cork to the Havanna (if no separation happen) might be made in less than seven weeks, allowing the whole to sail no faster than the worst of the Company.

That a man-of-war should sail with them, as one of them, but on purpose only to return back after so many days' cruise (proper disasters to be pretended and agreed on by the Commodore of the Expedition) to report he parted with said Commodore at a certain distance of Longitude directly west from Cape Clear, as should being published in the common papers ground an undoubted opinion, that the Expedition is intended upon the French North American Colonies, which will have its effect, to keep the Spaniards asleep, and awaken the others to an expense where no resistance will be required.

To provide a light train of artillery of eight or ten small officers and two mortars, ammunition carriages, &c., fitted with proper gear both for drawing by man or horse, all other utensils for the service of the shipping and the stores when landed, will be regulated by the officers they belong to.

As the accidents of the sea are numerous and to be expected a place to resort to, on separation, ought to be known, such a one as lieth nearest in the way and private, are the two little Islands of Anguilla and St. Martin directly East of Port Rico, and N.W.B.N. from St. Christopher's where the course is with the winds direct west to the Havanna.

Estimate of the Force required and its Charge.

Three 60 and three 50 guns ships : two of 80, two of 10, and two of 6 guns : one fireship and one bomb, with a total of 3085 men, of which 800 marines and 800 seamen would be available for landing : one hospital ship and fourteen transports to carry 300 horse and 1000 infantry. In all 2900 men to land. Total charge 147,680*l.*

Note.—The small vessels are absolutely necessary for going to windward on messages to Jamaica, Carolina, etc., among the keys and shoals about Cuba and the Gulf, where greater bodies cannot go, nor do anything serviceable.

The Earl of Cromartie to Robert Harley.

Memorial.—One of the greatest dangers which can arise to Britain from Scotland is from the advantage which the inaccessible Highlands may afford either to a French invasion or an insurrection of a disaffected party. But the well-affected Protestant clans in the Highlands should have in readiness 3,000 men on the south side of the rivers of Dee and Lochie, and as many on the north side of these rivers, since the Protestant heritors have far greater numbers of tenants, who may and should be always in readiness to serve the Queen and defend their country when called for to do so. All Highlanders are bred and educated to handle fire arms ; so it is but to have them chosen and kept by their masters in readiness, with clothes, fourteen or fifteen days provision, and their arms, to attack invaders or rebels, for in few hours every heritor may have the quota agreed to in readiness, and there can no foreigners land nor insurrection be made in the Highlands from Clyde to Orkney but 2 or 3,000 may attack them in two or three days advertisement and in a day or two more the whole 6,000 may join ; and, if the standing forces be fitly posted, vizt. at Glasgow or Dumbarton, at Perth or Inverness, one of these three bodies and one of the two bodies of Highlanders may also be joined in forty-eight hours' time, and the whole three bodies of the standing forces and the 6,000 Highlanders may all join in any central place of the Highlands in three days time, and having 14 or 20 days' provisions the invaders or rebels must have a very considerable force if they dare stand against that army and these 6,000 may be in a constant readiness with clothes, arms, and provisions, for the yearly expense of 100*l.* sterling for each 100 men and a small favour to three or four of the chiefs in each of the two districts.

This can give no ground of umbrage on any account for no man hath a farthingsworth of power by this but what they now have. Only by this they are more secured and fitted to prevent a war that 900,000*l.* will not reduce or subdue, if once framed, as old and late experience doth freely evince.

Harley's docket, E. Cromertie. September 4, 1710.

Memorial to the Queen.

The Earl of Cromartie.—It is with regret he finds himself obliged to reiterate troubles to Her by so many papers : offers this one in place of all the others. Hopes that his small services faithfully performed, especially in the Union, would have brought him in amongst those servants who are paid of all former fees and salaries and are so fortunate as to carry with them tokens of Her favour. Unfortunate he has been forgot. Presumes therefore to propose (1) That She may confer on his family the óffice of collecting the rents of the Earldom of Ross. This office gives no kind of jurisdiction but is a servile employment and the collector or chamberlain is obliged to the travel and expense of collecting, and for fitting accounts every year in the Exchequer and the salary is 83*l.* 7*s.* sterling, which scarcely bear the travel and expense ; and the quota of the salary is always at Her Majesty's pleasure so that she may augment this to what others have for the equivalent collection.

If this be too much, may it please her to bestow the chamberlainry, confer that office on his son for his or her life, with 2 or 300*l.* for salary and pension during that time.

(2) As to his Debentures, he intreats for a surer fund for payment than that of the Equivalent.

(3) That Her Majesty may charitably bestow 100*l.* *per annum* on his daughter Jean the widow of Sir Thomas Stuart, once lord of the session, who left her and four children without one shilling in the world to afford them bread.

(4) That Her Majesty may know that the late Lord Treasurer did from her assure me of the expenses of this my present journey to London. I did for the first six months receive from the Treasurer 1400*l.* which was more than the worth of my service, now I have stayed 5 months more. Let Her Majesty do in this as she pleases, but if she will order 1500*l.* of my debentures for me, I will desire little expense besides.

Docketed Earl of Cromertie's Memorial, September 13, 1710.

William Keith to [Robert Harley.]

1710, September 18. Aberdeen.—The honour I have had in your former countenance and friendship encourages me to hope that any marks of duty and regard which I or my friends are now or at any other time capable to express towards yourself and interests will not be unacceptable to you. A considerable majority of the gentlemen in this County have urged me to accept of their next Representation in Parliament when a vacancy happens, and I am now under very great ties to comply with their desire. There are several competitors supported by different interests amongst the Scots nobility who have taken upon them to write their circular letters through the country with very new and surprising accounts of men and things, which when laid before a House of Commons in due time will neither tend to their own nor their friends' honour. For my own part I pretend to no other interest in the Country but what flows from the character I have obtained amongst the gentlemen, to be unalterably inclined and devoted to the preservation of the Monarchy and present establishment of the British Government, an utter enemy to all the Queen's enemies and irreconcilable to every thing that seems to encroach upon Her Majesty's sacred authority and just prerogative. This is the principle I have endeavoured to advance and maintain amongst my neighbours in the country and am heartily rejoiced to find so many of them resolved to concur with me upon that bottom without any regard to the pretended power and influence of some particular designing men.

I am hopeful it will be found no ill exchange to transfer the dependency we have been accustomed to upon our Nobility in Scotland, to the Queen's person and Her Majesties' immediate servants in the management, and this being my plain purpose without any other view whatsoever, I thought it my duty to acquaint you therewith, at the same time intreating you will do me the honour and singular favour to represent the same to Her Majesty thereby to prevent any unjust or calumnious account to the contrariwise. I have herewith sent you a memorial in relation to our Commission of the Peace which if inquired into will deserve to be regarded, and by the advice of my neighbours I have presumed to name a list of seven whom if it be thought proper we wish were added to the old or insert in the first new Commission that comes out. I beg leave to mention one thing more relating to one Mr. Urqhuart a gentleman of this County whose private affairs being a little out of order and a man of very good parts, is at present a justice of Peace and has for several years past enjoyed a small post in Scotland from the Government called the master of works or supervisor of the Queen's buildings, he is now threatened by some people certainly to lose his place if he go not into their measures in the Election, which we look upon as a great hardship and do earnestly beg Her Majesty will be pleased to signify something of her pleasure therein so as the gentleman may not be overawed to the prejudice of the public but have some verbal assurance of the continuance of his bread in that post so long as he behaves himself as becomes, if the multiplicity of your other more weighty affairs could permit you to honour me with your commands in relation to these things I shall with the utmost caution endeavour to execute them in what manner you please to direct, for I will not pretend to make any other apology for this trouble than to learn how far my faithful endeavours to make these northern elections more serviceable to Her Majesty than they have been hitherto, will be acceptable, and I have enclosed this to be delivered by one Mr. Livingston a merchant in London, who is to be elected for a district of Borrows in this

Country, he being a very honest man and my very good friend will carefully transmit to me what commands you please to lay upon, Yours, etc.

Docketed by Harley. Received October 4.

THE EARL OF MAR to ROBERT HARLEY.

1710, September 18. London.—The Lord Mordington having wrote a letter to the late Treasurer disowning his marriage with this Lady, the bearer, her pension was stopped upon it. Upon second thoughts Lord Mordington, it seems, repented, for last winter he wrote a letter to me acknowledging that he had been in the wrong to her and that she was his lawful wife. Of this I told the Treasurer and gave the Lady the letter; but it seems she has lost it and begs I may let you know this. Her husband is a strange kind of man, and has been guilty of a great many bad things, but I know that he [has] been several times very much obliged to his lady, and requited her favours very ill. She was in earnest with me to let you know this, that in charity I could not refuse it, and I hope you'll forgive the trouble.

LADY MORDINGTON to the EARL OF OXFORD.

[1710.]—If his lordship does not set her at liberty as soon as he goes down to the Treasury by sending for Mr. Godfree she must be destitute of lodging this night for no soul will trust her by reason she never could pay no where that ever she lodged. Trusts that the cries of four small children crying to heaven for revenge will not fall at her door nor does she desire it should at his lordship's. If he will but pay her that small matter of pension due to her now there will be no more demands. His expedition this day will make amends for what is past.

LADY M. MORDINGTON to ROBERT HARLEY, one of the Lords Commissioners of the Treasury.

1711, April 7.—Is overjoyed to hear of his safe recovery. Finds that Mr. Taylor has mislaid the petition and certificate Harley gave Mr. Lownes, so that it cannot be found. This makes her trouble Harley with a copy of the petition begging he will have it read and give Mr. Lownes particular charge of it that it may be laid before the Queen in order to get petitioner restored to that small allowance settled upon her seeing she was never struck off the list. Mr. Compton will advance her what is due as soon as Harley sends to him. If Harley but once declare her innocent she will be restored neither would he be any ways backward in so doing if he will once consider how much it will contribute to his merits in regard he will not only be the instrument of taking away the reflection that lies upon the Treasury for withholding it so will it reach her unhappy lord who is a slave to his weakness, a man who has some of the ablest divines in the Town to advise him and reclaim him yet cannot prevail with him. The misery she has endured and is like to endure if not redressed by Harley cries to Heaven for assistance. He will not forget to tell the rest of the Lords that all of them may speak to her petition when it comes before the Queen. The Scotch nobility cannot give Harley a just character of her lord and husband for fear that he may vote against them at the election. He gave his proxy to Lord Mar this sessions of Parliament otherwise Mar would have given Harley such a character of him that should oblige any worthy person in the world not to have given credit to anything that ever he said. Begs his concurrence in this.

Holograph 2pp.

The Lord Justice Clerk [Erskine] to [Earl Mar ?].

1710, September 19.—I received yours of the 12th on Saturday last, and these of the 14th yesternight. All I have to say at present is that D. Hamilton's (17) correspondent talks publicly and confidently that Mr. Harley (150) was the only occasion that D. Ha: (17) was for Mr. Bailie (12/0) and that he himself (the correspondent) was always angry at it, and when D. Ha : 17 wrote to him to tell his friends that he was for Mr. Bailie (15/0) and to desire their assistance he wrote back to D. Ham : (125) that he durst not, for his friends would think ill of him if he should. He says now that D. Ham. 17 is perfectly right with the Queen (100) and curses his peerage which made so much difficulty. But as to Mr. Bailie (12/0) he positively avers that Mr. Harley (150) was the only occasion of D. Ham : 17's joining him : and to make this the better believed he fails not to tell that after Ld. Godolphin's (90) affair and that Mr. Harley came in Mr. Bailie (12/0) said if he had lost one friend another had come in by whom he doubted not to have as much favour. I have not yet learned that D. Ham : (125) wrote any particulars of this last post, but what I have now told you he said this same morning to E. Mar (111)'s writer, who is the only person I could meet with who had talked with him this day. When I meet with others perhaps I'll learn more. His news is, that this very day an express was to be sent from London with the account of the Dissolution (33). Their talking this of Mr. Harley (150) may do a good deal of harm here ; for the Tories (400) are already jealous of him as I formerly wrote to you, and this, if they believe it (as they certainly will, if D. Hamil : 17's people get leave to assert it without contradiction) will make them more and more averse from him and consequently from Queen (100)'s measures (1500), in the secrets of which he is thought to be by all in this country. I never heard of so very unaccountable a creature as D. Ham : 125 and as you say it is indeed a pity that there should be a necessity of employing such a one, but though it be so at present I hope with due care that influence of his may in some time wear off, and I confess I almost wish he would endeavour to vindicate himself (as he calls it) as to Mr. Bailie (12/0)'s affair, that there might be full occasion to set his conduct before the Tories (400) in a true light; for it is only by such fine passages as these that one can hope to lessen and wear out the credit he has got, and they ought not (in my humble opinion) be let slip. As I formerly wrote I do still humbly think, that to employ him (though he may create some uneasinesses in the meantime, yet) at length will win him, for such a person as he, if in business, cannot well miss to take such strange caprices, and fall into so odd blunders and do so unaccountable things, that all the world would at least despise him and forsake him. Opposing is his only talent and if he be kept at that he will still make some figure and do much hurt. When E. Marchmont's people in Edinburgh tell Ilay (999) that Mr. Home of Crossrigg was one of them, at least I am told so by Mar (111)'s writer, heard of the Commission to E. Home, they went to the Chancery and protested that it might not be expedient; because, said they, E. Marchmont after his first commission, during pleasure, got another, during life, but when the Records were searched none such was to be found, so the Chancery had no regard to their protest. It would have been expede the Great Seal this day, but not one of that office are in Edinburgh. Robert Campbell who is Keeper under E. Loudoun, being in the West (and I believe upon business that is not indeed to be neglected) and Mr. Craig, who is under him, being in England with his master the President. However it were to be wished that there were always some one attending an office, now this Commission must lay till Mr. Campbel be sent for and brought in from the Country. E. Lithgow 44 is to be at his own house this night, he is just returned from visiting his friend E. Erroll 30. I hope to see him before I go to the country, at least I am endeavouring, without being seen in it, to get him for a day or two to town. E. Home 45 went to the Country several days ago. I have sent Mar 33's letters to him. and at the same time acquainted him of the good success Mar 33's letter to his friend had, and of two other men whom I hope the Justice Clark (136) has brought over to him. The Justice Clark (136) was with him several times when he was in town, and thinks he seems to be very right as to Queen (100)'s measures (1500). I know that D. Ham : 17's people reckon him theirs, but it is like they are mistaken, and he would never be his (as I think) if he knew D. Ham : (125)'s carriage about Mr. Bailie (12/0) which if D. Ham. 17's people continue to talk as I have told you will perhaps be proper he should know. I expect to see the writer concerning Ld. Ormond's affair to-morrow. It is in King James the Sixth's time and though in old times such things used to be conveyed by charter (as your own and all the ancient) yet I can hear as yet of none other so far down. But of this a full account shall be sent (and a copy as he desires) as soon as possible. What else you write of I shall better know how to answer next post or that thereafter. I hope to get you the same lodgings you had last.

D. Ham: 17's correspondent talking of Mr. Bailie (120) and Mr. Harley (150) so openly it cannot but have come to E. Home 45's ears especially since D. Ham (125) has actually written to the old fellow Sir Pat. Home. Lest he has heard of it I said in my letter to him that I hear of odd things which certain people in Edinburgh give out concerning the Election (112) in his shire, particularly as to the interest of that old fellow, but that I would not trouble him with particulars of idle stories. I conclude with telling him, of the satisfaction I have to find how much he has the friendship of those, who all this time have gone along frankly with the Queen(100)'s measures (1500). This none can take exceptions at, and I hope will make him distrust such stories and wait for sufficient information about them.

Presbytery of Caithness to the General Assembly.

1710, September 19. Thurso.—Our commissioner to the late venerable Assembly bore our instructions for representing one Moody of Melsetter in Orkney, a stated enemy of religion and professors of it, with respect to a particular encroachment on our discipline in this presbytery. The repeated injuries of this man and his complices, the justices of the Peace in the country of Orkney, gives us new occasion of repeating our instances to the reverend commission in behalf of our oppressed brethren of that neighbour presbytery who groan under the unprecedented tyranny of these justices who do in effect suppress religion and piety, encourage all profanity and immorality by claiming the sole power of judging in cases of scandal and wresting all power of discipline out of the church's hands. We shall not stand to reckon up the many unwarrantable proceedings of these men especially towards the ministry who are the ordinary butt of their malice but refer you to the representations of Mr. James Sands, minister at Birsay, whose personal treatment and sufferings will be sufficient evidence of their hellish malice and clearly convince what is to be expected in case of no redress of bygone injuries. We therefore entreat the Commission to consider the representations of our reverend brother and take such course therein as may speedily and effectually repress the insolence of these men and strengthen the hands of distressed brethren. George Oswald, moderator.

That this is a true copy of the presbyterie of Caithness their letter to the Commission of the Assembly 1710 is attested by Dundas. Edinburgh, November 10, 1711.

The Rev. W. Carstares to Robert Harley.

1710, September 28. Edinburgh. I did myself the honour to write to you some weeks ago before I went to Scarborough for my health, and I flatter myself with the hopes that my freedom was not displeasing. I now presume to introduce into your acquaintance by the inclosed, Sir James Stuart, her Majesty's late Advocate, whose great abilities are already so well known to you by report that he stands in no need of any characters from me, only I may say that as he served her Majesty with untainted fidelity when he had the honour to be employed by her, and to the great satisfaction of her Majesty's faithful subjects, so he did cheerfully and without resentment acquiesce in her Majesty's pleasure when he was laid aside. I am not afraid that I shall incur your displeasure for giving occasion to correspond with him, for no man can give you a more just account of the state of things here than he, and I know not one person that hath so great an influence upon the ministers of this church as he, and I am confident that he will have a very just and thankful resentment of any favour you shall be pleased to do for those whom he takes the liberty to recommend to your kindness. Mr. Scot at Hanover who is known to you hath married his eldest daughter by whom he hath several children; if by your favour he might obtain some suitable settlement in England it would be a very obliging act of kindness to his father-in-law, and a great comfort to him to have his daughter so near to him.

Enclosure.

Sir James Stewart to Robert Harley.

[1710, September.]—Though I have not the honour of your acquaintance yet I hope the introduction of my friend well known to you will obtain your favourable acceptance. I had the honour to serve the Government here as Advocate or Attorney-General for above sixteen years and when my infirmity disabled me yet Her Majesty was graciously pleased to lay me aside with particular marks of her favour and all I complained of at that time was that I was not allowed to prevent her royal pleasure by a frank admission which I was most ready to make, and next that my two servants that had served me long in that public station were left unprovided both which I represented to the late Lord Treasurer who not only satisfied me that the first was done not according to his mind but also promised that so soon as any suitable place for my servants should fall under his disposition he would be sure to prefer them.

Sir, this last hath not as yet taken effect and I am still concerned for my servants because their subsistence in a manner depends upon it and therefore since your Honour is now in the Commission of the Treasury I do with all submission intreat your favour in behalf of my servants and that you would be pleased to let me know if I may propose anything that may occur here and may be proper for their reparation.

Sir, I have a daughter at Hanover by her own choice and I would gladly have a better settlement for her and her husband but having spoke of this to Mr. Carstairs I am loth at present to give you any further trouble about it but your good answer in these things will be most acceptable and obliging.

P.S.—Sir, my nephew who resides in London delivers you this.

Harley's docket. Received October 21, 1710, in Mr. Carstares of September 28.

MEMORIAL of the EARL of CROMARTIE to the QUEEN.

Proposing that on his retirement after 50 years service he should have a pension of 6, 5, or 4 ; 00*l.* to be paid out of the same fund that the late earl of Hyndford's pension was paid from, [Hyndford died in September, 1710]. *Undated.*

The EARL of MAR to ROBERT HARLEY.

[1710,] October 8. Sunday night. Stamford.—If you can find such a thing as spare time I will be extremely glad to hear sometimes from you, and your commands shall be punctually obeyed. If at any time you have anything to say to me which is not fit to be shown to any of our friends, I wish you may write it in a note apart, in case any of them should ask to see your letter.

Pray let me know what resolution is taken concerning Lord Montrose, and what way I should behave to him or anybody else there that you think fit to be well with or to keep in expectation, for I intend to regulate myself as you think fit for the interest in general. I have prejudice at nobody and can live well with most people. I am unwilling to trouble you with anything in relation to myself, whatever you think fit for me shall please me, or nothing if you think I ought to have no more than I have already. I must though acknowledge to you that I would be glad of some place about the Court, for one to go often there when they have none looks officious.

We are so far in our journey very well, and much the better of Lord Rosebery who diverts us much.

1710, November 1. Edinburgh.—I came here last night and I find people (as I think) in a pretty good temper, though we will have difficulty and trouble enough with some and insurmountable if you do not despatch very soon what I had told you was so necessary, and I expect every day to hear effectually of it from you.

I am very sorry for what you tell me concerning blank proxies, but there must be nothing said of it, for several of them are irretrievable. Lord Teviot is so near London that I hope you may get him to send down in time another to the Earl of Weems, I being full, but if you think he would not take this well, it is better to let it alone, and I shall fill up another of my blanks to somebody else, and keep his to myself. I have wrote to the Duke of Queensberry of Morton's and Dumbarton's proxies, and desired him to advise with you to whom they should be sent.

I am at a great loss in writing to you for want of the cipher; to serve in the meantime I sent you a list of a certain set of men from Stamford, number them beginning the first with 17, and so on. I am afraid that these proxies be sent to 93, which you know is not fit; I wish you would advise them to be sent the one to Weems and the other to Northesk.

The Cavaliers or Tories here are very high in their pretensions, however I hope the election will be to your liking. It is probable that 67, 91, 93 and 97 may miscarry, but I doubt not but people will come in their places who you will be surer of. 23 is likely to continue to act a very handsome part; he is not yet determined as to his own standing and I fancy may be persuaded to desist from it, but he is very earnest for 83, though even that I hope may be overcome. 81, old as he is, sets up and I am afraid may give us some trouble before we get him dissuaded.

I have told D. Q[ueensberry] that the Tories are very high, and that they will think it a favour if they choose any of us, to prepare him in case any he has a mind to be dropt; but I hope there will be no new orders sent us, which I suspect he may endeavour in relation to some of them. He writes me that the Queen has positively refused to do Lord Lithgow's affair at this time, which will be of vast loss to her service, he positively expected it and if he find himself disappointed he will be very angry and can do mischief, whereas otherways he would be of use. Therefore I beg you may yet get his commission sent down by a flying pacquet.

Lord Balmerino has never yet got his commission for the Mint, which I know is only by being forgot, but it looks odd here, and I wish you would send it down at the same time, I mean as soon as possible. I find D. Q[ueensberry] takes it very ill that he was not acquainted with Lord Ilay's commission of which he is to speak to you. I hear Earl Marchmont has complained to the Queen of those who advised her to give Lord Home that commission of Sheriffship, but it will be seen that he has no ground for this complaint, and the Queen has done nothing in it but what is warrantable and nothing to be said against.

We expect the Duke of Argyll on Saturday, and after that I will write more fully; but our day is drawing so near that I thought it necessary to send a flying pacquet to put you in mind of that thing necessary and the proxies. I hope the Duke of Ormond (who I wish joy with all my heart) will send his, for it will be found good as people here think. Roseberry has but one, so it may be to him.

The Earl of Mar to Robert Harley.

1710, November 2. Lidington.—Since I wrote by the flying pacquet the Earl of Glasgow made Lord Ilay and me a visit and was pleased to tell us that the Duke of Queensberry had sent him the proxies of the Earl of Morton and Lord Dunblane or Carmarthen, so what I wrote last of your advising to whom they should be sent will be of little use. Lord Ilay and I thought it worth while to send another express that you may try if Lord Dunblane's proxy can be yet got changed and sent down in time to Lord Wemyss, for being in the other's hands may be of bad consequence. It was pretty odd to send them thus. I despair of your getting Morton's altered, but I hope you may get the other, and it needs not be known till it appear at the election and then 'tis no matter.

If Dunbarton be come to London I doubt not but his proxy is also sent to some or other that we are not sure of and whom the people we are to work by have an aversion to, but we have not yet heard of it. I have heard nothing of Duffus, I wish he may not be too late of coming, but if he be still at London I hope you or Dupplin will get him immediately to send down his proxy, and it may be to Northesk if there be no other to him from England. This of the blank proxies not being good is vastly inconvenient and may lose some you see, so I would fain think that it is not so in law as you wrote. At last election several were so, and it was known, and in that "contravensie" of that election I cannot think but some of the lawyers on one side or the other would have found it out. However this objection is not known here and the less it be spoken of the better. If Lord Dunbarton's proxy be not yet sent I hope care will be taken to send it as I wrote last, and to none of those who I told you might probably drop.

The Duke of Atholl, I'm afraid, will insist for Lord Dunmore's being one of the sixteen, the Queen seemed not to relish his being of the number, and if you be still of that opinion, as I doubt not but you are, I wish Lord Chamberlain [Kent] would touch that point to the Duke of Atholl to make him desist, which would make that affair easy.

The Duke of Hamilton seems resolved to set up Lord Kilsyth for one of the sixteen, I apprehend he is not one who would be agreeable to you, and if so I wish you may fall on some way to let D. Hamilton know it. I told him that I was afraid the noise that some people above would make at his being chosen would do more hurt than anybody else whom he could propose, but he seemed still to persist, and I fear will do so unless he know the same to be your opinions above (*sic*).

We are here at Lord Blantyre's house securing Lord Rutherford's proxy, and return to Edinburgh to-night. We have sent our letters to Haddington, two miles off, to go from thence by an express, which I hope will be with you in such time as you may give us an answer before our great day, so that there is not an hour to be lost. We are just going to drink your health, so without ceremony, Adieu!

Harley's docket, Received November 5 Sunday, at night.

The Same to the Same.

1710, November 7. Edinburgh.—I had the pleasure of yours of the 2nd yesterday, with that enclosed for the Duke of Atholl, which was immediately delivered. These two days he has been in a very odd way, and is yet after all he has done likely to give us trouble. It is occasioned I believe by old Breadalbane's influence over him, who is out of humour by the difficulty he finds there will be in his being chosen, for which he is very earnest ; but his being chosen would give you more trouble afterwards than it gives us now, so we will endeavour to prevent it. We are endeavouring by all the ways and civilities we can to bring the Duke of Athole right again, but if it prove ineffectual he cannot do much hurt, I hope, for I know none who will follow him but Breadalbane. He waits the Queen's answer before he determine himself positively as to his being chosen, I hope he will not get encouragement for it, for I fear his temper would prove troublesome.

I have great hopes of our carrying a good 'plum' election of such who will be all of a piece for supporting the Queen's measures. I had a kind of embassy from the "Squadrone" offering to concert with us, and am to carry back an answer to it from those Lords I'm joined with, which will be such an one as it deserves. It was in effect to tell us that since they could not be chosen without us they would be content to be chosen by us. The Dukes of Montrose and Roxburgh were the Ambassadors.

I must acknowledge the Duke of Hamilton has acted yet very fairly by us. The Duke of Argyll came to town yesterday morning, he and the Duke of Hamilton, the Earl of Loudoun, and Ilay, dined with me by ourselves and talked over our affairs. After considering the whole we found it impracticable to make Leven, Stair, Glasgow, or Deloraine of our list without eminently hazarding some of those coming in upon us whom we think we have good reason not to be sure of their good will and inclinations to the Queen's measures ; and this we take to be reason enough to lay them aside, which I hope the Queen will approve of. I think we have very near concerted our list, but we are to meet again to-morrow and talk further of it, and endeavour to adjust things with the Duke of Atholl, for we'll take him alone in it if we can, so I will not trouble you at this time with telling you any particulars of it.

There has a thing happened here of which you'll certainly get an account, that has done us a world of hurt. It seems the Duke of Queensberry has wrote a letter to the Duke of Hamilton for his favour to the Earl of Glasgow, and at the same time sent a copy of this letter to Glasgow himself, which he has been so wise to show to several who tell it again, and in it, I'm told, the Duke begs D. Hamilton may not let Glasgow be put out of the list which was concerted by the Queen. This has very near blown us up, for we had denied that there was any list concerted above, as you know there was not, and if there had been, we could not so much as pretend to be chosen ourselves. People take the very noise of it so ill, I'm extremely sorry the D. of Queensberry should have committed such an oversight, and that Glasgow should have been so foolish to have showed it. It makes us make a ridiculous figure enough, and 'tis with a great deal of pains that we have undeceived people. I have wrote of it to the D. of Queensberry, who I'm sure will be heartily vexed at it ; but it is no secret here, though he must not know you have heard it from me. Glasgow can never do him so much service as he has done him hurt by this, and I may say the Queen's affairs too. And now there can be no thinking of putting him on our list, for that would make people positively believe there had been a list concerted above.

The SAME to the SAME.

1710, November 9. Edinburgh.—I know the Duke of Hamilton wrote to you this morning and sent you the list we have concerted, however I send you another copy of it, and intend to send a flying pacquet as soon after the election as I have time to write an account of it. In the meantime you may be pretty sure that this list will carry, and I believe we will meet with very little opposition, the "Squadrone" having lost all hopes and some others who lately designed it will not now stand—I mean Leven, Stair, Glasgow and Seafield, most of whom I believe will come into voting our list. Stair is most out of humour in appearance of any of them, and I must confess I'm sorry he is so, but I hope it will go over. The person who I told you in my last was likely to give us some trouble [Atholl] still resolves to stand, though he has not yet got a return to the letters he sent up ; he is now pleased with us again, at least he says so, but he found he could make nothing by his being angry, for everybody was so sensible that he had no cause given him none would harken to his proposals, except the old peer who is still very angry.

I hope her Majesty will think what we have done good service, though I doubt not some will endeavour to persuade her otherways. The greatest objection that can be made to our whole list is that person's being in it of whom I wrote to you from Lidington [Kilsyth], but there was no avoiding it, he had all the Tories for him, is the Duke of Hamilton's particular friend and favourite who was extreme earnest for his being one, and the Duke has acted so fair a part and been so easy in everything else that we could not get him refused.

The Duke of Argyll, Ilay, and I set out on Saturday morning, and that we may not stay by the road I have sent my own horses before us to Newcastle, so I hope we will be with you before the Parliament meet. I hope all goes well with you there and sure it cannot go the worse that our election is like to be so much of a piece and carried by a great majority, and we have been very wary in making use of the Queen's name in bringing it thus about.

Enclosures.

1. A paper endorsed by Lord Mar :—" Peers at Edinburgh. Novemb. 10, 1710. Those with this mark X did not come to the meeting of the Peers." The list gives the names of nearly ninety peers, of whom twenty-two are marked X. Eighteen of the others appear to have been represented by proxy.

2. A slip of paper containing the names of the sixteen peers proposed to be elected, viz.—Dukes of Hamilton and Atholl ; Marquis of Annandale ; Earls Marischal [Keith], Mar, Eglington, Hume, Loudoun, Kinnoull, Northesk, Orkney, Rosebery and Ilay ; Viscount Kilsyth ; Lord Blantyre and Balmerino.

The SAME to the SAME.

1710, November 10, Friday night, 10 o'clock. Edinburgh.—The Dukes of Hamilton and Argyll, the Earls of Loudoun, Ilay, and I, have by this flying pacquet given the Queen an account of the election of the peers. I send you enclosed [*not here*] a list of those returned, which is the same I sent you last, and also a list of all the peers who were in Edinburgh or had sent their proxies. Those who disagreed from us (the "Squadrone" and some others), finding they could make nothing of it, did not think fit to come to the meeting, as is marked on the list ; so there was scarce a contradictory vote to those we had agreed to vote for.

I hope what we have done will give satisfaction to her Majesty and her servants ; I'm very sure it will be a mortifying stroke to some other people. I have spoke to them all to haste up, and they have promised it. The Duke of Argyll and Lord Ilay go with me to-morrow. The Duke of Hamilton goes post to-morrow, by which he'll be with you first

I expect 500*l.* from Kinnoull next week as you wrote to him, and this night or to-morrow I am to draw on you for 500*l.* more.

I hope you will pardon me for saying no more, for I'm excessively weary and am but just going to dine.

The Rev. W. CARSTARES to ROBERT HARLEY.

1710, December 19. Edinburgh.—There are two things that many of the ministers of this Church are afraid may be considered in this Parliament, and these are a Toleration to the Episcopal Clergy here, and an obliging the ministers in these parts to take the Oath of Abjuration which as yet they are not by law enjoined to do. I have, as I think you know, no scruple about the Oath myself, nor can I argue against the Oath in Thesi, but as to the inconvenience of both of them as we are at present stated here, I humbly conceive somewhat and that in my opinion of no small weight might be said. But these two things are of so delicate a nature that I have often said to my friends here that the less noise we make about them it will be so much the better; yet if I thought that there would any motion be made about them at this time in the Parliament, I would adventure to take the liberty plainly to lay before you what I have to represent about them. But I hope there shall be no occasion for it this session.

The Earl of Mar to Robert Harley.

1710, December 24, Sunday Morning.—At the desire of a great many people I am forced to give you this trouble in favour of Mr. Pringle, the chirurgeon, the Chirurgeon-General being dead. The Duke of Queensberry spoke to the Queen of it last night, who said several had been recommended to her, but that she had not yet resolved who should have it. I know he is very good at his employment as any is and that I believe is the proper thing to recommend him to this post; as to his other qualifications I leave them to others who make use of him that way to inform you of.

I desired Cunningham to tell you yesterday that I would be glad of an opportunity to speak to you. It was partly upon the affair of Greenshields, on which I want to know your resolutions, for my countrymen want to be set right in it. I really apprehend some bad consequence from it, if it come into our House. My countrymen will be divided in it I know, which will not I think look well at this time, and which ever of the two ways it be determined, it will make a Toleration absolutely necessary to be given immediately.

If the decree or proceeding against Greenshields in Scotland be approved of, it will make the Presbyterians so insolent and oppressive that there will be no living with them; and if what was done against him be found wrong, it will be the same as giving a toleration without any qualification or restriction, which I suppose will never be thought reasonable. I think it is very reasonable and necessary too that there be a toleration in Scotland as here; but in my humble opinion, considering the situation of the Queen's affairs, it will be much more seasonable to give it next session of Parliament than this. If I be in the right of this opinion then it is necessary to prevent Greenshields affair coming into our House, notwithstanding the day for an answer to his petition being ordered to be put in; and that can only be done by the Queen's speaking to Greenshields herself or ordering the Archbishop of York or some such to speak to him and Doctor Scot whose advice he much relies on. If the Queen think fit to order some money to be given him to defray the charges he has been put to by this affair, and to order him some little living in Ireland upon his not insisting in his affair, I humbly think it will be the best way of taking it off and much better than its being determined either way. For any of us to endeavour to bring the Scots people to agree in this affair it is altogether needless, for I know it will not do, nor do I think our meddling much in it can have a good effect; but I believe it will be necessary for the Queen to speak to some of them without the rest knowing it, and if you think fit I shall let the Queen or you know who I judge the proper people to be spoken to. By its going off thus it would make the episcopal people easier than any other way except determining it absolutely in Greenshields' favour, and the Presbyterians could not but take it extremely well and see they owe it entirely to the Queen herself. The sooner resolutions are taken in this the better, and that it be set about. I would have spoke of it to the Queen yesterday, but I would not venture doing it till I knew your opinion. *Unsigned.*

The Earl of Mar to Robert Harley.

[1710].—Lord Bredalbain is very desirous to be gone, and indeed he can be of more use there than here especially at this juncture. In order to that he is very anxious that your Lordship will be pleased to appoint a time when he and I may have an opportunity to wait on you together to come to some resolutions on affairs of that country. He expects also that your Lordship will do what is to be done for him before he go; 'tis a pension he proposes.

Since the House of Commons has given a provision for the Highland companies, it being enough for three companies, I think three people whom we can trust should have them, and Campbell and Grant, who have them now, turned out. They have grown rich by having them these ten years. The first is entirely directed by the Duke of Argyll, and the other by the Laird of Grant. Breadalbain is very earnest the Gendarule have one of them, and I think Cameron is the fittest for the other. General Ross in his great goodness proposes one Sir John Mackenzie for the third, it would please the Mackenzies in that country.

If your lordship approve of Cameron's having this company it will leave you room to provide somebody else to the Irish victual. The giving of that to somebody Earl Eglinton should recommend would oblige him much. Should not George Hamilton be sent immediately to command in Scotland?

[1710]. Ten o'clock.—I must once more trouble you with this affair of Bailie's and the Duke of H[amilton] with a design of preventing further mischief. I went this morning to Kensington as the Queen had appointed me. She told me that upon thinking further upon that affair she could not desire the D. of H. to contradict what he had formerly wrote since he had wrote so long ago. She was pleased to say she was sorry she had not known my opinion in it sooner. I told her that I had no concern in it but upon her account and since she was of that opinion I submitted but that I was afraid of the consequence it would have and desired She might remember I was not to blame if any such thing happened. This was all that passed on that head. She told me then that she had ordered Mr. Boil last Tuesday to write to the Duke of Argyll ordering him to come over immediately, which I have since told Ilay. This afternoon I was with the Duke of Hamilton and he told me that the Queen had said to him much to the same purpose as I have told you She said to me. " It is true," said I " but since it is thus over is it not best for your Grace and me to write nothing of what has happened about it these two days upon the Queen's account." " No," says he " I must write and vindicate myself " : " then I told him I must do so too but I thought there was no need of either. He insisted though and when I pressed him, he said he must write because the Queen had bid him go on in getting Bailie chosen. Now, if he do so, it will make the matter worse than ever it was and Bailie chosen most certainly, which I presume neither the Queen nor you design, therefore I wish you may fall on some way to prevent his writing to-morrow any more about it at all and then when people in Scotland see he is laid aside they will judge which way the Queen's inclinations are towards him ; but, if he wrote the story of yesterday by to-morrow's post and that after it the Queen had made him write for their joining still with Bailie, the turning of him out afterwards will not prevent his being chosen and it will have a very odd appearance for a certain body. There's a great difference betwixt the D. of Hamilton's writing to contradict what he had formerly written and not writing any more of it at all, but I have troubled you too much about this.

Lord Stair is come. He will not care to be given for the author but he tells me that the French have beat our convoy coming from Ghent and burnt our boats with the ammunition.

[The Earl of Mar] to Mr. Harley, Chancellor of the Exchequer.

[1710 ?], Friday Morning.—I send the note of those particulars of which we spoke. I've put Glasgow down betwixt the two concerned about him and I have mentioned the Duke of Queensberry that you may have it in your thoughts how to manage with him in case of his speaking to you of that particular for himself of which I wrote you two days ago, or anything else of that kind until you determine something in relation to every point in the enclosed note. I am sure no solid resolution can be taken as to those elections if the Queen think of continuing those who have been doing openly all the mischief in Scotland they can to her present measures; then what can others think who have been acting for her, I mean a duke, an earl, and a commoner. I have a personal friendship for the Duke, and I am sure I would not give my poor consent to anything which I thought hurtful to him nor what would lose him to the Queen, but what we spoke of is the way to pull him out of those hands where he unluckily is, and then the Queen by a way which I shall tell you and which will be very agreable to him can very easily bring him into her measures and to depend entirely on herself. There is no hurt proposed to the earl but to drop him at this election and so when he is once rid of his old master the Queen can have him when she pleases. The governor is a pretty fellow indeed but, since he has acted this part and is in those peoples hands, what is proposed as to him seems reasonable and certainly expedient; and, if he be chosen again the Queen may have him when he applies to herself without the patronage of his old friends.

The EARL of MAR to [the EARL of OXFORD.]

[1711 ?], Wednesday.—" I am so much concerned in that affair of the peerage of which I spoke to your Lordship to-day and think it so much for the interest of my family which I value much more than anything which can concern myself personally, that I hope your Lordship will forgive my giving you this second trouble about it; but not to make your trouble too tedious I will not insist on all the arguments I could make use of in my favour, only allow me in short to represent to your Lordship that the promise her Majesty was pleased to give me that I should be made at the same time with any she made after the Duke of Queensberry, was three days after I came from Scotland from the Union Parliament before the Union commenced, as I hope her Majesty remembers, so I presume it is the first of the engagements of that kind which she gave and though perhaps some may have something more to show for it than I, yet I take the Queen's word to be as good as anything under her hand and I have some ground to believe that a certain person who pretends to have most to shew for the promise had it not from the Queen till some days after me. I have nothing to say against the D. of H. being one, but with submission I cannot help thinking, everything considered, that it will look a little odd that he shall be made alone at this time and I who have had the honour to serve the Queen ever since she came to the Crown and I hope to her satisfaction and who had her promise three years before him and when he has been mostly against her measures, shall be postponed or indeed I may say left out and in great hazard of never having the promise to me made effectual. The D. of H. gets his mostly upon the account of his family, but I presume her Majesty promised me that honour not only upon the account of my family but on my service;

should I die having a child to succeed me, I fear one of my pretensions is gone: but succeed to his Grace who will, they will have as good a pretence as he; but her Majesty having promised me so often and so positively that I shall have it at the same time as the D. of H. I can scarce doubt of having that honour now if she thinks fit to confer it on him. If her Majesty thinks fit to give it me now that does no more oblige her to make good her promise at this time to those who pretend engagements from her than the making the D. of H. if she please to let it be known that the first engagement was to me and that she will make good her other promises of that kind when she sees it a fit time. If the D. of H. be made alone one effect it will certainly have and that is in making his interest and dependence in Scotland greater than ever it was, I hope he will always use it for the Queen and Crown and I will not pretend to judge whether this be an argument for or against his having it alone, nor will I trouble you any more with it, my earnestness and concern having already drawn me in to do it longer than I intended for which and all the rest I beg you may be so good as to pardon me.

I beg your Lordship may pardon this paper and scrawl for it is written in the House of Peers where I could have no other."

The Same to the Same.

[1710], Wednesday night, 9 o'clock.—I come just now from the Duke of Hamilton and he told me a thing which surprises me much. He says that he asked the Queen whether or not she would have Mr. Bailie chosen of the new Parliament, for it was in his power, by his interest with a friend of his in that country, whose letter to him he read to her, to make him succeed or miscarry in his election. The Queen, he says, told him that she wished Mr. Bailie chosen and desired him to assist him. "Then," says he, "Madam, you must take it upon yourself for the Tories and others will blame me," and desired Her to tell me of it, all which She said She would do and insisted on it that he should assist Bailie, notwithstanding his speaking rather against than for him. He says further that he told you of this and that you afterwards told him she had told you so too and given you commands about it. Upon which he wrote last night to his friend to join with Bailie. This is so odd that I scarce know what to say to it and those people in Scotland by whom the election of the Peers must be carried will take it so ill that I am afraid of the consequences of it. What makes this the odder is the Queen's passing the commission for Lord Home's being sheriff of that county which was designed to assist him in opposing Bailie's election and upon that I wrote to Lord Home encouraging him to this, so in Scotland you may think what appearance it will be for the Queen to see this Commission to come down passed on the one side and on the other the Duke of Hamilton writing, and as he has certainly said by the Queen's desire, to assist Mr. Bailie. This will make a very strange figure, I am sure, to call it no worse, and for the Queen's own sake I wish it could yet be helped by Her speaking again to the D. of Hamilton at least to leave his friend to go in the election as he inclines himself, though it would do much better if she would desire him to join Lord Home's friend, and his letter might be sent by a flying pacquet to-morrow which would come as soon as yesterday's post. If this is not done we will most certainly lose Lord Home in the election of the Peers and some of his friends, and he has several, and the Queen will lose the favour of the sheriffship which she has given him. Lord Home and his friends will take this for an affront and I'm sure the Queen will lose more by it than ever Bailie will be worth to Her. Forgive my being so long on this 'tis truly out of my regard for the Queen and I beg you may do something in it to-morrow morning else it will be too late. I heard from Edinburgh to-day that Lord Seafield talks as if he had a kind letter from the Queen since Lord Godolphin was out which I can scarce believe to be true but I wish you would try what is in it and if he has wrote to Her lately. I hope you got all your affairs set right to-day but I cannot be easy till I know the certainty of it for I reckon my living here or at home next winter depends on it but that is the least of my concern the Queen's own security and you all that I wish well to goes much nearer my heart. Good night!

[The Same] to [the Same.]

[1710 ?], Friday, after five. Whitehall.—" I had the honour of your Lordship's to-day when I came home to dinner. I shall be very glad to wait on your Lordship on Tuesday as you appoint but I beg you may let me know your time.

I had thoughts of Kilsyth for that post, but I imagined it would not be thought very expedient at this time and that it would not do at last, which made me propose Marishall, and now that he knows that he has been named to it, it would break the young man's heart should it be disposed of otherwise. There is nobody I wish better than the Viscount and had I thought this practicable for him I am sure I would have named nobody else to it and I am sorry his patroness or anybody else has now set his name up for it. I have taken care however to write to Scotland to satisfy him as to this of Marishall's having it and the objections that would have been as to him, but if he hears that others are for him I am afraid he will be angry with me, though if what he is now put into lately in Scotland be made good to him and some consideration had for his not being in that sooner, he will have no reason to complain. The sooner this thing be determined the better and if it be told that Marishall comes in as a reduced officer it will salve a good many objections.

I thought to have gone to Windsor to-morrow, but the D. of Ormond has appointed me to be with him in town so it will be Sunday morning ere I can be there and then I shall have the honour of speaking to your Lordship further of this affair of E. Marishall's."

[The SAME ?] to the SAME.

[1710], Saturday, 1 o'clock.—" I doubt not but the Queen told you all that passed betwixt us yesterday so I will not trouble you by repeating it. Her Majesty and your Lordship shall always find that whatever you think for her service shall be faithfully obeyed by me, whatever be my own private sentiments of it. There were some things she was pleased to order me to speak of to your Lordship which I shall be glad to know when your Lordship will be at leisure for. There are several other things concerning Scotland which the sooner they be dispatched the better, I know your Lordship is so hurried with greater affairs that 'tis hard for you to get time for those things, but I beg you will be pleased soon to consider of what is to be done for E. Home and V. Kilsyth, for they long to be gone and wait for nothing else. I have spoke so often and fully to your Lordship of these two particulars that I will not trouble you with saying much of them now, only you know how necessary it is they go down well pleased. They both deserve very well and the last of them has acted so thorough a part last sessions and this in spite of all temptations that I know there need be no arguments used with your Lordship for his being taken care of and few in our country can be more usefull.

Since this measure concerning the election is resolved on your Lordship shall find that I shall act as sincerely for it as if it had been a choice of my own and I hope there may be ways found to prevent any mischief I apprehended from it. I write to S——ld to-day wherein I will tell him that he shall find me as ready as ever to live well and in concert with him &c.

I should be glad to know when your Lordship can allow me a time to wait on you. I think of being in the country to-morrow but should be very well pleased to put off my jaunt if your Lordship have more spare time to-morrow than another day. I come back in the evening but I will not trouble your Lordship with saying any more now. *Unsigned.*

[The DUKE of HAMILTON to ROBERT HARLEY.]

[1710.] Sunday evening.—By my Lord Ilay's desire I send you the enclosed relating to his affairs. The Queen said yesterday she would be ready to sign his warrant 'a Monday,' I hope H. St. John will then be at Hampton Court that it may pass his office, and be dispatched time enough to be at Edinburgh as soon as he himself is. He says you told him you had found a method for him to have the money at Edinburgh, but he hopes you will explain that matter to him more particularly by a letter. I should be glad to have a copy of that cypher which you send to him.

The Duke of Argyll designs to go to Scotland 'a Wednesday' and would willingly wait upon you some time 'a Tuesday' to receive your commands. The best time I think would be in the morning because he dines with the Duke of Ormond. If you will let me know what hour you shall be at leisure I will tell it to the Duke of Argyll. *Unsigned.*

[The EARL of MAR ?] to ROBERT HARLEY, Chancellor of the Exchequer.

[1710].—The last part of your letter gives me a great deal of comfort but I'll be impatient to know that what you hoped is certain. I send you enclosed Lord Cromertie's last paper. He must have some money to relieve him out of this, either in gratuity or part of his debentures. Lord Ilay says that 500*l.* would do. As to the rest of the paper Lord Ilay and I would be glad to talk with you of it.

Five o'clock. Pray let him have some money one way or other soon that he may go where he can do good; that of the Chamberlandric may be adjusted afterwards. *Unsigned.*

EDINBURGH UNIVERSITY.

[1710 ?].—A paper headed "A Memorial concerning the University of Edinburgh "setting forth that the University was founded by King James I. of England, with a grant of as large and ample privileges as any other Universities. There were also competent salaries provided for all the professors that were then judged to be necessary. But the University being then in its infancy, the number of the professors was not so great as afterwards it was found expedient, and now is, which is the reason that the proportion of the several salaries is so very small that many of them are not above 22*l.* or 23*l.* a year, at most, while those at Glasgow have the double.

The greater number of students that was ordinarily in the University did make some compensation for the smallness of the salaries, but there being so many that by their education have qualified themselves for the several professions of divinity, law, and medicine, the number of students doth and must of consequence decrease; so that the professors particularly those of them that have families, cannot maintain themselves suitable to their stations, especially in the chief city of that part of the Island, where the way of living is more expensive than in other places of the country; unless her Majesty, the first sovereign of the United Island, shall have the goodness to support by her Royal bounty that University which was founded by her Royal great-grandfather, the first sovereign of the two kingdoms.

The last parliament of Scotland was so sensible of the truth of what is represented above, that upon an humble address made to them by the professors of Edinburgh University, they unanimously agreed that their case should be recommended to her Majesty, which hath encouraged the principal of the University at the earnest desire of the professors to come hither humbly to represent their circumstances.

All that is humbly desired is that her Majesty would be pleased, by way of gift, to settle upon the University 200*l.* sterling a year, to be equally divided among seven professors, viz., four of Greek and philosophy, one of the Oriental languages, one of mathematics and another of humanity; for as to the Principal and the professors of divinity and ecclesiastical history, they seek no share of the sum that is proposed, being satisfied with what they have, and being unwilling any way to burthen her Majesty's revenue further than what is already humbly represented as necessary for the support of the other professors.

1711, January 14. A memorandum concerning Sir DAVID NAIRNS' claim to arrears as due to him at the time his office of Secretary depute of Scotland ended, and as secretary to the Most Noble Order of the Thistle.

[EARL of MAR] to ROBERT HARLEY.

[1710-11], February 5.—Monday morning. I hope you will forgive me for adventuring to intercede in behalf of one Mr. Whitehall who as he is afraid and it is not improbable may be under your displeasure. He has been before a Committee of the House and people tells him that he has acquitted himself of what was alleged against him but that they were afraid that he wanted to be put right with you. I have known him a considerable time and if I did not think I had reason to believe him an honest man I would be loth to speak to you in his favour. If you would hear him speak and he does not convince you of his innocence in this affair of the Beer and that other affair wherein some people endeavoured to make him speak against you in the business of Greg, I shall never more open my mouth for him nor will he desire mercy or favour. He has the original papers still in his hands which that Committee would have had him to sign against you, which he refused. To my knowledge those people thought to have turned him out last year because of his not complying with them then, and they did not stick to say that it was upon your account. I did all I could then to save him but that was not much as things then went; but some of their own kidney were prevailed on to intercede for him which saved him at that time. He is a very sensible man and if you heard his own story every word carries the air of truth. The report is to be offered this day from the Committee to the

House but if people do not know before it is received that he is not under your displeasure he is convinced it will not go well with him.

Viscount Montagu's Case.

Francis, late Lord Viscount Montagu, has by deed bearing date 21 August, 1688, settled divers manors and lands in Surrey and Sussex upon Richard Carryll, John Carryll, and Henry Arundell, and their heirs, In trust to sell to pay his own debts and the debts of his then late father and such legacies and other appointments as he should make by his will or otherwise.

The said Richard Carryll is dead. The said Henry Arundell is alive. The said John Carryll is in France and stands outlawed for high treason. By means whereof the Trust Estate in Carryll is vested in the Crown ; so that the said Viscount's debts and other appointments cannot be paid without the aid of an Act of Parliament. An Act of Parliament is therefore desired to impower Henry Arundell and his heirs to execute the Trust alone, as if the said Carryll were dead without any attainder. To which Her Majesty's consent is most humbly desired that such a Bill may be brought in. *Docketed by Harley.* Received from Sir Richard Onslow. February 14, 1710-11.

The Revd. Jo[hn] Stirling to [Robert Harley.]

1711, April 19. Edinburgh.—I am this day informed that the House of Commons has refused an exception in the bill about the Post Office in favour of any grants on that office, whereby I am afraid our University will lose the grant of 210*l.* for four very necessary 'professions,' and four worthy men be deprived of the small subsistence they had. As we owe this grant to her Majesty's royal bounty, so I understood you were so good as to recommend our Society to her Majesty which did not a little contribute to our obtaining it, I beg you will interpose for us that we may not be deprived of so small yet necessary encouragement of learning.

The Revd. W. Carstares to Robert Harley.

1711, April 19. Edinburgh.—Congratulations on Harley's recovery from the villainous attempt upon his life ; too sad a proof hath thereby been given that he is an eyesore to Versailles and St. Germain.

The affair of Mr. Greenshields and surmises that have been industriously spread about restoring of patronages, together with what is heard of the carriage of some members from our own parts in both Houses, have occasioned some uneasiness and jealousies in many in Edinburgh. But none are more heartily concerned for the honour and quiet of her Majesty's government than the Presbyterians of Scotland, and the ensuing Assembly will testify the confidence that they have in her Majesty and the dutiful sense they have of the many advantages they enjoy under the administration.

The professors of the University have had an unexpected alarm by what they hear of the parliament's design to settle the fund of the Post Office so as will deprive them of the effects of the Queen's bounty to them.

SIR JAMES STEWART to [ROBERT HARLEY.]

1711, May 10.—Let the tender concern of an old father for a daughter excuse this presumption. Mr. Scot at Hanover is married to my daughter and I understand that by the assistance of your favour Her Majesty hath resolved to send him Envoy to King Augustus and I have adventured to write to the D. of Queensberry to further his dispatches but, Sir, if I may open myself to you a little in this matter I have now these four years been desirous of nothing more than a settlement to my daughter and this piece of employment though it may prove an introduction is but very passing. Mr. Scot to my certain knowledge is a bred lawyer and long since entered an Advocate with us and I dare engage in every respect capable to serve Her Majesty and his country in what I propose and therefore Sir since we have a vacancy in our Courts of Session and Justiciary by the death of the Lord Enstruther, which many here wish to be supplied by him, I do with the deepest submission and earnestness intreat that by your favour Her Majesty may be pleased to name and present him to this vacancy. Sir I neither use nor dare use this freedom with any other and it is only your great character emboldens me to it. Only if it can be, nothing more acceptable: but, if not, let it remain and sink with yourself, for it is from the affection of an afflicted father and I hope will at least obtain your pardon.

Harley's docket. Received May 16.

WILLIAM MERCER to LORD DUPPLIN.

1711, May 10. London.—By the death of Sir Alexander Wedderburn, one of the Clerks to the Bills, there was a vacancy in that Office which depends upon the Lord Register: and the Earl of Glasgow, being Register and having a design to invest his second son in the whole office as it should fall vacant: but his son not being of age at the time he granted a commission in trust to one William Kelsoe who is obliged to dimit in his son's favour when of age. But now, as it seems, Lord Glasgow suspecting a change and that a commission in trust for a minor and so incapable of any office might be quarrelled by a succeeding Register, at least the succeeding Register would not accept Mr. Kelsoe's dimission to his son without a composition, which is a perquisite of the office, Lord Glasgow, as I am informed, yesterday concluded with Sir Philip Anstruther, who for a new commission upon Mr. Kelsoe's dimission is to pay Lord Glasgow

3300*l.* sterling and, as I am informed, has likewise compounded with another Sir Philip Anstruther, a nephew, and has accepted of admission of Sir Alexander Anstruther's part of the office in favour of the nephew. The design is plain. If there is to be any alteration my Lord will leave the office to his successor as barren as he can. In duty I thought fit to acquaint you of what has passed and that in my humble opinion it would be fit, that, if there is to be any alteration in the Lord Register's Office, it were done soon because a commission granted by the succeeding Register before Sir Philip Anstruther's admission and qualifying according to law which I think cannot be done but by the Lords of Session in term time, which is the first of June, would prevail against Sir Philip's commission and would interpel or stop his admission.

Baron J. SCROPE to the CHANCELLOR of the EXCHEQUER.

1711, May 10. I beg leave to trouble you with the enclosed clause [*not here*] which by the directions of the Lords of the Treasury was settled by the Chief Baron and left in the hands of Mr. Lowndes to be inserted in a bill; but I doubt he will forget it unless you are pleased to give some directions therein. Wherefore I humbly desire if you approve of this method that you will signify your commands to him, for the Drawback Act hath misled the Barons, and hath rendered it very difficult to pass the accounts or to continue the payment of the Civil List without some such clause, and Mr. Taylour is equally at a loss in drawing warrants that relate to Scotland.

My Lord Poulet informs me that he troubled you with a draught of a Privy Seal that we prepared to enable us to carry on the service, which I hope you will be pleased at your leisure to look over and correct.

The REV. W. CARSTARES to [ROBERT HARLEY.]

1711, May 10. Edinburgh.—The accounts I have from several hands of your being pleased still to honour me with a share in your remembrance give me no small satisfaction and encourage me still thus to address you.

The Marquis of Annandale was pleased to tell Sir James Stuart and me that you had mentioned us to him as persons whom he might rely upon for all the assistance that we could give him in order to make his affairs easy in the Assembly; and I assure you, you did good service to her Majesty upon this occasion in taking notice of Sir James to his Lordship, for your having taken such notice of him will very much animate him to use his influence, which is not small, to prevent any unseasonable fervour that any ministers may be inclined to have upon this occasion. I take the liberty, at Sir James's desire, to convey to you the enclosed from him under my cover, and if it were not too great presumption I would humbly suggest, according to the freedom that you have done me the honour to allow me to use some times with you, that you would be pleased to write if it were but a few lines to him, I am sure it would be esteemed a great favour.

As for myself I am persuaded that you do not doubt but both duty and gratitude to her Majesty will oblige me to use my utmost endeavours that all affairs may be managed in the Assembly with calmness and temper to her Majesty's satisfaction, in which I cannot be the less concerned that the Assembly hath thought fit to choose me to be their moderator, with a greater unanimity than I expected in this juncture. I doubt not but her Majesty's Commissioner will manage himself to the best advantage of her Majesty's service, and I have good reason to be assured that I shall have all encouragement from him in my post. I shall presume to give you an account of any thing of moment that shall occur in the Assembly.

LORD of ANNANDALE to [ROBERT HARLEY.]

[1711], May 12. Edinburgh.—I give you the trouble of enclosing a copy of the General Assembly's answer to her Majesty's letter. I hope it will be satisfying and thought dutiful and affectionate. They have been as yet unanimous in all their proceedings with the greatest respect and duty to her Majesty and government. I hope the course of their whole business shall be such.

There have been endeavours used to possess them with fears and jealousies, and to raise heats and divisions amongst them, but I hope it shall be to no purpose.

I cannot say that I have any help from those who I think ought to assist her Majesty's service here; it is but what you know I told you I did fear. The Advocate [Steuart] ought to be active, but if he is it is against me. However I shall do my best and I do believe I shall be able to disappoint the designs of such as have a mind to break the good understanding that has been between the Queen and the Church here.

Postscript.—I think it will be much for the Queen's service that the appointment that uses annually to be paid to the Moderator for the use of the Assembly be ordered as soon as possible.

Docketed by Harley. Lord Anandale, Commissioner of the Assembly.

[The EARL of MAR] to ROBERT HARLEY, Chancellor of the Exchequer.

[Before 3 May, 1711], Friday Morning.—I send you enclosed the note of those particulars of which we spoke. I have put Glasgow down betwixt the two concerned about him, and I have mentioned the Duke of Queensberry, that you may have it in your thoughts how to manage with him in case of his speaking to you of that particular for himself of which I wrote you two days ago, or anything else of that kind. Until you determine something in relation to every point in the enclosed note I am sure no solid resolution can be taken as to those elections, if the Queen think of continuing those who have been doing openly all the mischief in Scotland they can to her present measures, then what can others think who have been acting for her, I mean a Duke, an Earl and a Commoner. I have a personal friendship for the Duke, and I am sure I would not give my poor consent to anything which I thought hurtful to him, nor what would lose him to the Queen, but what we spoke of is the way to pull him out of those hands where he unluckily is and then the Queen, by a way which I shall tell you, and which will be very agreeable to him, can very easily bring him into her measures, and to depend entirely on herself. There is no hurt proposed to the Earl but to drop him at this election, and so when he is once rid of his old master, the Queen can have him when she pleases. The commoner is a pretty fellow indeed but since he has acted the part, and is in those peoples hands, what is proposed as to him seems reasonable and certainly expedient, and if he be chose again, the Queen may have him when he applies to herself without the patronage of his old friends.

The Rev. W. Carstares to [Robert Harley].

1711, May 23. Edinburgh.—It is no small pleasure to me that I am in a capacity to tell you that our Assembly had yesterday a very comfortable end. There was never more unanimity and calmness seen in any Assembly than in this, nor could subjects testify more loyalty and affection than they did to Her Majesty. They did forbear to represent some very hard things which in some places they meet with from those that are disaffected to our church, I wish I might not have reason to add and to Her Majesty's Government too, for they were unwilling at such a juncture as this to do anything that had so much as the shadow of a complaint or might have any appearance of a jealousy that either Her Majesty or her Ministers did design to deprive them of any advantages that they do enjoy by law. It would have been no small mortification to me if anything should have occurred in this Assembly that should have been either displeasing to Her Majesty or been, Sir! uneasy to you in whose concern for the true interest of these nations and of our church in particular I have an entire confidence. As to myself I shall only presume to assure you that I have endeavoured faithfully to serve Her Majesty and yet to be honest to the true interest of our church; and through the goodness of God and the great encouragement I have all along been honoured with by the Marquis of Annandale who represented Her Majesty's royal person in the Assembly I have come off, without giving, I hope, any offence to Her Majesty and more to the satisfaction even of the most zealous of my brethren who were apt to suspect anything that came from one that hath the honour to be one of Her Majesty's chaplains.

But all my endeavours to bring this Assembly to a happy issue would have signified little had not the noble person who was Her Majesty's Commissioner managed himself in so prudent and obliging a manner as did gain him the applause and esteem of the whole Assembly.

I presume to give a cover to the enclosed letter from Mr. Blackwell, minister at Aberdeen [*not here*]. He is worthy of your regard, deservedly valued, and now called to be a Professor of Divinity in the College of that town; the business that he writes of is of importance to the peace of that place.

P.S.—Allow me to take notice of one thing that I can never forget what Her Majesty said to me when I had the honour first to wait upon her that she hoped I would be as faithful to her as I was to the late king; and I may truly say that I have been and will always endeavour to be so.

The Rev. Jo. Stirling to [Robert Harley].

1711, May 24. Edinburgh.—I would have given you some account of our Assembly but I knew our moderator would not fail to do it. I am glad I can say all our public business was managed with as much moderation and temper as ever I observed and though some things had been emproven to create jealousies it were unjust in me to conceal what confidence the Assembly expressed in Her Majesty's goodness and how firmly they seem to rely on the gracious and renewed assurances of her protection in their legal rights.

Yesterday when we were about to dissolve the Commissioner acquainted us of your letter signifying the Queen's gracious acceptance of our return. May you have much of the Divine conduct and countenance for her service.

The Earl of Stair to the Earl of Mar.

1711, [May 25-] June 4, n.s. Camp at Le Warde.—I would have written to you sooner but that I knew you were at Bath whence I hope this will find you returned with a great stock of health.

Since you have been gone I have a successor appointed me at the Court of Poland; if Her Majesty is not angry with me, I am very well pleased to be free from troubles and dangers of a war with which I have nothing to do, from Famine, and a very great expense, to say nothing of being absent from one's friends and the other *agrêments* of the country, however, I certainly would upon sight. I knew this by a letter I received yesterday from his Grace of Queensberry at the Court of May.

My Lord ten days ago I wrote to Mr. Harley to inform him of the Queen's promise to me as to the Peerage, and to desire his favour. You not being in town I enclosed my letters to E. Loudoun. Now my Lord I must beg your good offices with this great man, if he thinks fit to do me any good, I have nothing that hinders me to be his humble servant and to make him the best returns I can. Last year I thought myself obliged not to meddle in the change, though I had no connection of any kind with the junto yet I was in friendship and had obligations to people who opposed the alterations, I was not clearsighted enough to see they could be made without some danger to the public but *sic stantibus*, for the very same good will I have to my country, I should be very sorry to see any considerable alteration in the Ministry now, and if I can be protected I shall be very glad to give my small assistance to the supporting of it.

My Lord Mar you and I have known one another a great while, I shall not now begin to make you compliments. I should be glad to understand Mr. Harley's intentions by you, I flatter myself if you can do me any good you will.

I think myself very much obliged to Mr. Harley for his civility to me last winter and his kindness in the matter of my arrears.

I believe we shall soon leave this camp but I do not think 'tis probable we can undertake anything of great consequence.

CLANS IN SCOTLAND.

1711, May 26. A paper in the handwriting of Capt. John Ogilvie endorsed by Harley:—" Clans in Scotland, May 26, 1711 "—which runs—

Duke Gordon—He has the best following in the kingdom, especially for gentry; he has brought out one thousand horse in his own particular quarrel against my Lord Argyll at the battle of Glenlivet; he has a great following of Highland foot, for he is Superior of Lochaber Str[i]doun and Glenlivat; the whole of Forbes is his vassals also, and a great part of the north. He is a papist and so is a great part of his gentry who live in the lordship of the 'Cugil and Bownie.' The Forbes's for the most part are presbyterian except the Laird of Skeletar who is the best known of that name.

Clunie Mackfarson—is a vassal of Duke Gordon's, a simple good-natured man, can command 200 men; he is for the Pretender. However he is a Clan and chief of the Clan Cathon ?

The Earl of Seaforth—lives in the north Highlands, he has a considerable following, is the chief of the Mackenzies and can raise 1500 men and bring them to the field. He is superior of 'Macklowd's' country, is a hopeful youth bred papist, but his people are not so; his estate is pretty well in that country but to tell justly his rent I cannot, for their estates rise and fall according to the price of the 'wetall' [victual?], for most of their rents is 'witell.'

The Frasers—Lord Lovat who is prisoner in France, is their chief, and they will never acknowledge any other. They are about 1000 brave hardy men. The Duke of Atholl has encroached upon them by causing the late Lord Lovat break the 'tayclie' in favour of a daughter, he being married to the Duke's sister, but my Lord nor none else will ever give them except Lovat himself who is in France. They are all for the Pretender and will rise with Sir Euan Cameron. The estate is divided betwixt the two daughters, who are married to gentlemen, creatures of my Lord Atholl's, the ladies being his nieces.

Duke of Atholl—has a great following, especially his Atholl men, they are a resolute, brave, hardy, people. They do not love him for his name is Murray and he married the 'ares' (heiress) of Atholl and promised to call his name Stuart which his predecessors did not, for the surname of the family of Atholl was Stuart, and the names of the most of the gentry in Atholl are Stuarts. They will follow my Lord Atholl in the Pretender's quarrel, but he can never make a figure with the following otherways; they are about 2000 good.

Lord Breadalbane—has a good following of his own, but then he will draw the most of the Duke of Argyll's following after him, for there is no man worse beloved in the Highlands than the Duke and his brother Lord 'Ella' (Ilay). They are all of the surname of Campbell, but what belongs to my Lord Breadalbane are wholly episcopal. It is not to be doubted whom my Lord is for.

Lord Ree[Reay]—lives in the Leanes in Macklowd's country, he is General Mackay's nephew and chief of the Mackays, not very considerable and a small estate, nor is he trusted by the rest.

Macklowd—is but a child of six years old. They are not very numerous, but whatever Lord Seaforth is for they will be the same.

Lord Cromartie—of no interest at all, his name is Mackenzie, a cadet of Lord Seaforth's family.

Earl of Perth—has a small following of a Highland interest called Stragartnen and Bounwarder, he will always raise 1500 men. He is (heritable?) Stuart of Strathern, but being papist Lord Leven officiates.

I have given you account of the nobility that have followings in the Highlands, so now I come to the clans :—

Sir Donald MacDonald—lives in the Isle of Skye and has a good estate, better than 2,000*l.* sterling a year, he is a frugal man, for his estate was worse than nothing when he came to it. He has a good following, 1200 men, entirely for the Pretender. The Marquis of Antrum's estate in Ireland is 'tayeled' to him failing children by the Marquis and Sir Ronald Mackdonald who is in France.

The Laird of Mackewn—lives in the isle of Skye also Sir Donald 'is marrd upon his mother,' he is a very smart young man and of letters. He commands about 200 men and is for the Pretender.

The Captain of Clan Ronald—Mackdonald is his name, he lives in the isle of Wist, but he has a considerable interest in the main land of the Highlands called Moriun. All his people are papists and so is he ; his following are numerous 1500 men, but a 1000 he will bring to the field. He is a pretty smart man, served some campaigns in France and was wounded at the battle of Landau ; his estate is better than a 2000*l.* English a year.

Macknill of Baraw—lives in the isle of Baraw, he is very absolute there for the whole island is his own, his following is about 300 men. He is a papist and for the Pretender, he did send Lord Dundee 300 men at the battle of Giliecrankie. He is a cunning, haughty, man.

Chisholm of Stragles—is chief of his men, he can command 300 men, he is for the Pretender, a good sensible man, young.

Sir Euan Cameron—an old cunning man, very brave but old. His son is as brave as he, but more honest man, has not his father's subtilty but is entirely a man of honour and what he promises may be relied on. They will always bring to the field 2000 men, a hardy people they are and great robbers of the low countries. The Frasers will rise with him when he rises for the Pretender, in the absence of their chief Lord Lovat who is in France, it being his orders to them.

Capock Mackdonald—has his interest in Lochaber, he cannot bring out 200 men of his own, but all the Loris men of the Highlands will follow him, as we have seen upon several occasions, particularly against the Mackintosh's and a party of the King's troops that was sent against him ; he fought and beat them ; this was in the reign of King James the Second. He was the first that met Lord Dundee at the head of 800 men. He does not promise much but is as subtle as a fox, very warlike, desperate, and will undertake anything. He is married to Sir Donald Macdonald's sister and is thought by all the Highlanders to be the true representative of the great Donald of the Isles. He has a very ——— of a youth to his son.

The Laird of Glencoe—is the son of him that was murdered in the reign of King William, he has not above seven score of men, but they are very good. His name is Mackdonald, a papist, a good-natured, honest, sort of a man, has several sons but they are young. He is always lieut-colonel to the Laird of Glengarie when they go to the field.

As to the Highland estates no man can justly tell, for they have a vanity to be thought great, and will always conceal their rents.

Stuart of Apen—lives in Apen not above ten miles from Iverlockie he can command 200 good men, his estate is not great but true, a very well-bred man, a great deal of mettle and fire, and he has a 'stroke' with the rest of the Clans. He is a great friend of Lord Atholl's but I believe he will join Lord Perth.

Sir John Maclean—lives in the isle of Mull, his estate was once great, but their sufferings for the Crown has ruined them. The Duke of Argyll is in possession of his estate but not his men, for if Sir John pleases they will rise and dispossess his Lordship. His men are brave, hardy, bold, not given to robberies but very much civilised, never were in rebellion unless against King William, but they will not own that to be rebellion. My Lord Argyll has done all he can to disperse them and to plant Campbells there, but it will never be in his power to gain them. It is truly pity of them for there is nothing more trusty than they are. There are many gentlemen amongst them, they love their chief extremely and are willing to suffer anything for him. They were very numerous but at present are not so, but Sir John brought 900 of them to join Lord Dundee, and well did they fight. Sir John is a good-natured, simple, man, is brave of his person, has sense but not well turned, speaks a great deal, has a young son who I believe if he lives will be mated. Sir John did make an offer of him to the Queen, but my Lord Treasurer did reject his offer, and with the bad usage that he met with from my Lord he was desperate when he went down, and if the Pretender had landed such usage would have had no good effect. The most of his men are of the name of Maclen, they keep Sir John still amongst them and every one of them contributes to make him live.

The Clan Gregor—their name is Mackgregors, it was abrogate by an act of parliament in the reign of some of the James's, and it was renewed again in the reign of William, but that was to no purpose, for they took other names but still they retain Mackgregor at the end of it. They are very numerous a desperate bloody sort of men, their chief the Laird of

Mackgregor is out, but there is a gentleman of their name and him they have chosen for their chief. They are at present dispersed, but upon their private watchword they will all assemble and follow this chief. They have offered to the Pretender very great offers to restore their name when he lands. In the first place they offer (1200 ?) well-armed men to march wherever he shall command them, but their other offer I shall say nothing of at present by reason it regards some of the government.

The Laird of Glengarie—his name is Mackdonald, he lives in Lochaber, he has a house in a loch that he may not be surprised, it is not far from Inverlockie. He can bring out to the field a good regiment with the Laird of Glencoe's men, he is a man of a good estate in that country, very bold, undertaking, and of good sense, a man of letters, very subtle, a papist. He has two brothers very bold men, papists also, they are furnished with schoolmasters from the Scotch College of Paris, for I do assure you that I did see priests and schoolmasters in the wildest places of the Highlands, they spoke all good French. I was much surprised to find men that spoke French to me in that country, but there are popish bishops and deacons and all their orders as if the Government had not exceptance against them; but I find since presbytery was established in Scotland they are permitted more than ever they were before, they are publicly in every place.

The Laird of Mackintosh—they are not trusted by the rest, only there is a gentleman of their name, the Laird of Borlame, and he is for the Pretender, so he will bring a good party of them to that interest. They are not considerable.

The Macknabs—they are not considerable, they are not above a hundred, but what they are they are for the Pretender.

The Mackdougalls—is nothing at all, they are not to be minded, nor a great many more small little clans that depends on other clans that are more considerable.

The Laird of Invray—his name is Farchquarson, he lives in or about Braemar, I cannot tell, but the Earl of Aboyne who is a minor is his superior. He has a small number of men, not a hundred, his father was always with Lord Dundee. He is a good natured sort of man, not much in him.

The Laird of Stronan—Robisson is his surname, he is known to the Earl of Mar, he may command a hundred men, he is a mettled, pretty, man of good sense and of letters, followed King James to France and was there above ten years; Lord Portmore obtained his peace. He is for the Pretender.

Logie Almond—his name is Drummond, he has a hundred men in Glenalmond, he is known to Lord Dupplin. He is an honest gentleman, but Lord Perth's near relation and in that interest.

The Laird of Grant—has a considerable following, but young Grant is in the army and the old man is a disgusted Presbyterian, and one of his sons made offers to the Pretender to bring the most of his following to join him. Their estate was broke by serving King William and the Presbyterian government and he never rewarded. There is no great matter neither in the father nor in the son.

The Laird of Garntilie—his surname is Stuart, he has a Highland following, a good estate, and if he durst be for anything he is for the Pretender, but he is no dangerous man either for sword or quill. He is 'Magetu' and will venture his estate for nobody.

The Earl of Airlie—his surname is Ogilvie, he has a good following of his name and of the highlandmen in Angus and Gleneyla, but the old man is fit for nothing, and his son is young, but all for the Pretender.

The Earl of Mar—has some Highland following, but he can give you the best account of his men himself. He is your acquaintance, for I do not know anything of him nor them.

I have given you as just an account as I believe anybody can do of those who have interest in the Highlands. As to their estates it is what no man can do unless he had a sight of their valued rents.

Now as to secure those clans to the Queen's interests. There are measures that may be taken, but you must take care that no proposals be made by any nobleman, for they have no trust in the nobility. If they believe any man in the Government they will believe yourself, for in the first place the matter that they had against my Lord Treasurer and the Duke of Marlborough they know how that you were persecuted by my Lord Treasurer as well as they, and the character that they had of you from a friend that was amongst them since their being brought up here prisoners upon their own expenses. They are persuaded that you are a man of honour or you would never have been hated by the late ministry; for I cannot say that any of them hate the Queen's person, but on the contrary love her for her father's sake, and they are persuaded that you love her, and therefore if there be any bargain to be made let it be in the Queen's time for it will be more difficult afterwards.

In the first place you must cut off all superiorities that they may be independent of any great man, remove the little garrisons that are up and down amongst them, for those garrisons do not signify a halfpenny, a hundred men in a place, twenty in another; for whenever they have a mind to rise all those small garrisons are cut off in a night, and until that occasion be they will never offer to stir, so your garrison is of no use but expense. There is another thing that will infallibly gain them, which is, let every clan be modelled by way of militia and let their chieftain be their Colonel and have a small pension by year paid him, and that the chieftain and all of them shall take the military oaths and be subject to councils of war and all martial discipline. This is what they desire from the Pretender. Now this will but amount to a very small expense in the year, for there are not above twenty of them that you need to model, and the small pensions to every clan need not amount to any great matter, they are all armed already so you are at no expense that way, and by doing of this you not only gain them but you have 10,000 men ready upon a week's advertisement to march where the Queen shall please to command them within the three kingdoms. They will entirely keep the rest of the kingdom in obedience, so that you need have no army there except the guards and garrisons, and it will entirely secure the Highlanders both to the Queen and to her successors ; and at the same time take all their eldest sons and cause breed them at the universities in England upon the Queen's expense, it will be but a very small expense and it will oblige them and at the same time be a tie upon their parents and also be a means to root out barbarity from amongst them.

I shall pawn my life if the Queen pleases and if there be right measures taken to make proposals to them, that is one that has the care of them, that they may be brought in before a twelve month and that their chiefs shall come here to London and make their bargain with you themselves.

Now I have obeyed you in writing of my opinion I should not have ventured to expose myself to any other, but to you who know my weak capacity I will venture at anything, for God knows I have no opinion either of my own parts or policy, but it depends upon myself to be both faithful and grateful, and that you shall ever find me to be to you.

You may object that it may be dangerous to model them, for that may occasion them to assemble, but as to that when they are modelled they are no more but what they are now and ever have been and there is never a Highland market or fair but they assemble and always in arms, for to the church they never go otherways ; so that objection is answered and they are always modelled by their own chiefs and are divided in companies, and have their officers appointed over them and are submissive to them, and march with their flags and pipers in place of drums ; so that there will be no more difference but that the Queen models them, and formerly their chiefs did it.

Perhaps it may be proposed to disarm them, but that is labour in vain, for you can never disarm a people that can make their arms themselves ; for you may see as good pistols for service as can burn powder in this town of Heronorkeny. Besides they can put their arms out of the way, but whatever they may stand in need of for the matter of arms and ammunition can always be put them, so it is but a jest to pretend to disarm them, and to apprehend them is what you can never do except that you could apprehend them all in a night; that is in the power of no government, for if you apprehend but one of them the rest of them would fly to arms, and I do assure you there would be money and ammunition sent them; so it is best to gain them with fair gentle means, and not to waken sleeping dogs.

CAPT. JOHN OGILVIE to the EARL OF OXFORD.

[1711, May.]—This is a memorial that Mr. Cameron did give me to deliver to your Lordship with a design that your Lordship might promise it before the time that they are to have the honour to wait on you. If your Lordship will be pleased to mind the paragraph that relates to the Mackenzies, there is a very easy way to engage them and put you to no charges. My Lord Seaforth is heritable sheriff of Ross, but he being of a principle that would not allow him to take the oaths, our Presbyterian government put it into the hands of his enemy Grant, and Grant makes use of Kilrarek a 'wylat' [violent ?] whig for his depute, who does tyranise over my Lord Seaforth's family. Now if your Lordship will restore the sheriffship to one of his family to officiate for him who is a protestant this will oblige them entirely; but your Lordship must not speak of it to Cromartie for he envies Seaforth's family. Colonel Mackenzie is an old fellow soldier of mine in France, we were comrades and bedfellows, so if your Lordship pleases I shall bring him to you and turn him to your Lordship's purpose. I shall stay this night in town, and I shall show myself to-morrow to see if your Lordship has any commands for me; and if not I will go my ways home. God preserve your Lordship!

CAPT. JOHN OGILVIE to the EARL OF OXFORD.

[1711, May.]—I made a mistake last night wherein I told your Lordship that it was two hundred and sixteen men was allowed by the Parliament to make up the three Highland companies. It is two hundred and thirty-two men which makes up three companies, at sixty men a company and the thirty-two (*sic*) men makes the sergeants, corporals, and the drums which was the complement of them before. I hope that your Lordship will discourse this matter with the Earl of Mar this day and prevent any thing that may be done as to the diminishing of the soldiers' pay, for it will make a 'damt' out cry and the odium of it will fall upon your Lordship whether that you have a hand in it or not. For if it be done the design of the Highland companies is broke, and instead of being useful they will be a grievance and must oppress the country. Your Lordship may be sure that I have no interest in any of the captains that command them, only I cannot endure to see them importune your Lordship for a thing that will make an outcry against you, for the captains are both the worst men that are in the Queen's dominions.

The SAME to the SAME.

[1711, May.]—[Stewart of ?] Appin is a coming up and he pretends to forward the other quarter's payment. The Chiefs are mad that such a little fellow as he should give himself such airs as if he had done all this for them with the Queen, being his name was Stuart, when he is no chief of a clan, only a bastard of the house of Lorne, and not above a hundred pieces of yearly rent, and yet be put on footing with the best of them.

I have a great many letters from most of them to let your Lordship see where they protest that if you countenance him you will for ever disoblige them. Therefore it were proper that your Lordship should order my Lord Dupplin to write to him not to come up at this time. But your Lordship is wiser than I, do in it what you think best, all that I shall say is I have their letters to show you when you please. But I fancy that your Lordship will not lose such a warlike body of twenty or thirty thousand for the Queen's service that you may have for a service in case of an extremity, for so worthless a gentleman as Appin.

FALSE MUSTERS.

1711, May 26. Saturday.—The report of false musters considered. Resolved. That it appears to this House that in several companies of Her Majesty's Foot Guards there have been great abuses in keeping but two thirds of their complement of effective men ; and in protecting many debtors from their creditors.

Resolved. That it appears to this House that Lieutenant Colonel Chartris has been guilty of the said abuses and also of threatening and tampering with the witnesses produced before the Court.

Resolved. That the said Resolutions be laid before Her Majesty and she be humbly desired to give direction that the said Chartris may be punished for the offence and effectual care taken to punish all persons that have been guilty of false musters and other abuses in the Guards.

Ordered that the said Resolutions be laid before the Queen by such members as are of her privy council.

Resolved. That the imprisoning persons in the Savoy prison without authority in writing from a commissioned officer, putting them in irons, and selling them to be sent abroad, has been a great violation of the liberty of the subject.

Resolved. That an humble address be presented to Her Majesty that Patrick Hurley, Samuel Wilson, John Man, John Hare, William Birket, James Bampford, Remark Bunworth, William Hardisty, Richard Sedan, and John Ackland, who have given evidence before a Committee of this House touching the abuses aforesaid may be discharged from the service of the Army and protected from being pressed again into the said service.

Ordered. That the said address be presented to Her Majesty by such members of the House as are of the Privy Council.

Resolved. That it appears to this House that Mr. Joseph Billers and Mr. John Theedam have done good service in detecting the said abuses and do deserve encouragement for the same. *Copy.*

The EARL of MAR to the EARL of OXFORD.

[1711, June 21]. Whitehall. Saturday morning.—I have been mightily vexed, since I heard yesterday of Earl Marishall's speaking to you for this vacancy in Hyndford's regiment for his son Lord Keith, that I should have desired Lord Dupplin to recommend to you a friend of mine to it or that I should have spoken to anybody else in Mr. Cleland's favour. You shall never find that I embarrass you or give you any trouble in recommending any friend of mine where there is another of worth or significance in competition and since the Queen was spoken to in this affair and my name made use of I beg you will let her know that I quit Mr. Cleland's pretensions to it and wish heartily that she may be pleased to give it to Lord Keith who is really a very pretty youth and deserves to be taken care of. But if there be any objection to his having it then I beg Her Majesty may give it to anybody else than my friend for I should be mighty sorry if either she or anybody else thought that any friend of mine should stand in the way of her obliging anybody who can be of the least use and service to her. If I find an opportunity to-night when we attend Her Majesty at council I intend to tell her so myself but if your Lordship be pleased to do it sooner I'll take it as a singular favour. I could be at no ease till I let you know this.

P.S.—I have been often desired to speak to you for Charters but never would nor to anybody else save to Sir R. Moston at the beginning of his affair; and by agreement with E. Rivers once to Mr. Massame and Harie St. John, which was only to ask if they thought there was any way to save him from being broke which would be so disgraceful to the fellow that we pitied him, but I'm far from interesting myself in it, which I beg pardon to tell you in case you should hear I did, as I am told others have. I recollect too that Lord President talking of that affair the other day I said that I believed that Tattan could give the best information of him.

Enclosure.

WILLIAM CLELAND to [the EARL of MAR.]

[1711] Ham. Wednesday, Midday.—By the late disaster four companies are vacant in Lieutenant General Seymour's regiment. It is an old one. You know better than I whether it is proper your Lordship should ask one for me and what prospect there is of success, if you did. Only I beg you would remember that I am miserable beyond expression, more to be pitied than those that perished and would take anything in any place—nay undergo their hard fate, if wife and children were along with me and not left to starve in a hard-hearted world, than trouble your Lordship with such letters as yesterday's.

The Rev. Ja. Greenshields to [the Earl of Oxford.]

1711, June 30.—Your Lordship being pleased to concern yourself with my business, I humbly beg leave to lay before you my present case. At the Revolution my father, an episcopal minister, being rabbled out of his church in the West, went with myself to Ireland, where we both qualified ourselves to the government and served cures there. In 1708 I came to Edinburgh and was very much concerned to see an English congregation that could not have the exercise of their religion by a qualified man that prayed for her Majesty. This brought upon me hatred of the Jacobites and Presbyterians, and occasioned all my troubles, from which the House of Lords upon my appeal relieved me.

Lord Rochester and the Archbishop of York had thereupon undertaken to prevail with her Majesty to provide for me, and in the meantime had recommended me to the Lord Keeper; but now by the death of Lord Rochester I am deprived of his assistance.

While I was at Oxford some time after, some who were my friends of the nobility, and others, apprehended that by my return (to Scotland)? I might do good service to the Church and to her Majesty, and therefore resolved by subscriptions to have settled near 200*l.* of yearly salary upon me besides what I could have had from my congregation; upon which I was resolved to return. But upon acquainting her Majesty, by the Bishop of London, with my intention, she signified that my going down at this time would do her disservice, and a friend informed me that it was also your Lordship's opinion. This made me alter my measures and wait her Majesty's pleasure.

But now being deprived of any further assistance from my friends here I had no other [course] but to petition her Majesty for relief.

I am the representative of an ancient family in North Britain, whose estate was sold by my father to pay my grandfather's debts contracted in the service of the Royal Family in the late Civil Wars, so that I have nothing to subsist myself upon nor my family.

All that I humbly entreat your Lordship is to recommend me to Her Majesty for some ecclesiastical benefice, and in the meantime to allow me some present subsistence for my family. *Holograph. Signed.*

Postscript.—If your Lordship would recommend me to my Lord Keeper for the living of Redding which I am informed is not yet disposed of, it would fully satisfy me as to all my pretensions.

PETITIONS of the said MR. GREENSHIELDS.

To the QUEEN.—Upon the decision of his case before the House of Lords, he was proffered 200*l.* per annum from some Lords here with 100*l.* more from his congregation upon condition of his returning to them at Edinburgh, but in obedience to Her Majesty's pleasure signified by the Bishop of London he did not return. Upon which Her Majesty promised to provide for him in a living here and subsist himself and family in the meantime. He has for 20 months patiently waited her pleasure and now that the living of St. Giles in Reading (in the gift of the Lord Keeper) is vacant by the death of Mr. Richards, he prays Her Majesty to recommend him to succeed to the living. *Without date.*

To the SAME.—Upon the decision of his case in the House of Lords (who declared that there was no law against the use of the English Liturgy in North Britain, by which those who used were exempted from being persecuted as formerly on that account) he had very good encouragement offered him to return to his ministry at Edinburgh, but as soon as he understood that Her Majesty did not think it convenient he resigned himself to Her disposal and has since been wholly supported by her Royal Bounty and has nothing left now to depend on for the maintenance of himself and a very numerous family (which he was never able to remove from Edinburgh.) Prays that whenever she shall fill up the vacant bishoprics in Ireland she will grant him preferment in a living in that kingdom. *Without date.*

To the SAME.—Petitioner has been a great sufferer in the service of the Church of England and was allowed no costs for his tedious and expensive suit. In consideration of which the Lords would have addressed Her Majesty for his preferment in the church but the late Earl of Rochester undertook effectually to represent his case to her. He was offered 200*l.* a year by some noble Lords to have returned to his ministry at Edinburgh which he refused when he understood it was her pleasure that he should not return. He has absolutely thrown himself on her protection and has none but her to depend upon for the relief of himself and numerous family (now reduced to very great extremity). Prays he may either return to his ministry at Edinburgh with a salary out of the bishop's rents or be allowed to bring up his family and have such maintenance for their support (paid quarterly) as Her Majesty shall think fit. *Without date.*

To the EARL of OXFORD.—Prays that he will recommend petitioner to Her Majesty that she may provide him in a living here suitable to his great charge of a wife and six children all now destitute and in particular recommend him to the Lord

Keeper for the living of Reading now in his gift, and that until provided for, that she will allow him of her gracious bounty subsistence for his family. *Without date.*

To the SAME.—According to his Lordship's orders he came here at 10 o'clock and humbly begs to know if he may be admitted to wait upon him. 1711. August 16.

To the SAME.—By the determination of the Lords in his favour, he was at liberty to return to the exercise of his ministry at Edinburgh, which he thought himself in conscience bound to do, but Her Majesty signifying that he should not return, his applying to her disobliged many of his friends here, which obliged him to petition her (June 14) either to allow him to return or provide for him here. Upon his application to his Lordship to be his intercessor herein, Oxford signified that Her Majesty had given him instructions concerning petitioner which would make him easy and last Saturday his Lordship made him a proposal to provide for him here or in Ireland. He preferring the former and intreating for subsistence in the meantime which his Lordship promised he should have this day. Intreats to know what he may expect. 1711, August 23.

The Revd. JA. GREENSHIELDS to the EARL of OXFORD.

1711-12, January 28.—In obedience to your desire, I have spoken to several of the Scots' members as to the unseasonableness of the time of bringing in the Toleration Bills. They seem to be of opinion that it will have no bad effect as to the public affairs now depending. I spoke also to the Duke of Hamilton about it. He seems to concur with your Lordship as to the unseasonableness of the time but seems very zealous for it and told that he brought in a Bill for that effect in the Scots parliament before the Union, which to my knowledge was defeated by the Jacobite party who would not have it, unless without any oaths to the Civil Government, which could not be granted. I was this day to have waited upon you at your house but your Lordship was gone out.

After her Majesty signified that it was her pleasure that I should not return and you assured me of her intention to provide for me here and subsist me in the meantime, and promised me your assistance to that end, I have given over meddling in the affairs of that church and my not going down has disobliged so many that they do not consult me in any matter of that nature, so that I never saw a draft of the Bill nor knew of its being brought in so soon, but as it is I conceive your Lordship cannot more oblige the far greater part of the Scots members (who are and will be very zealous in Her Majesty's service) than to concur in it and I am very confident that it will be attended with no bad effects in Scotland, for as far as I can observe the true reason that has created those uncharitable heats between the Episcopalians and Presbyterians is that they that were in power always persecuted the other and strove entirely to ruin them, now a toleration will take away the occasion of that and free the government from those many complaints that it has been constantly troubled with since the revolution. And I am also confident it will bring over by degrees the Episcopal Jacobites to join with the present government which will be the best security it will have in that part of Great Britain, the Episcopal party being far superior to the other both as to quality and numbers and you will see that as there are more of the presbyterian ministers (even in proportion to their numbers) that have not taken any oaths to the Queen so more of them will refuse them than of the other. The reason that moved the Scots members to bring in the bill was Sir James Stuart's violently persecuting the episcopal clergy that kept the English service notwithstanding of the Lords' decree in my case. I shall be glad to wait upon you and you may command any service in my power.

Petitions of the same Mr. Greenshields.

To the SAME.—Whereas he has given in a petition to the Queen setting forth the reasons which made him at first set up the English service to an English congregation at Edinburgh and which would incline him to continue to officiate to them; in pursuance to the Lords decree made upon his appeal, he will submit to Her Majesty in the matter. Prays Oxford to recommend him to Her Majesty to provide him in a living here suitable to his great charge of a wife and six children all now destitute. *Without date.*

To the SAME. To the above effect; then :—Upon petitioning Her Majesty to provide him in a living and subsist himself and family until so provided, she signified by his Lordship that she would grant his request and about the beginning of October last he had 100*l*. from her by Oxford's hands with a promise of being supplied from time to time until provided for. Prays his case may be considered and he may live with his family and be allowed such a supply as will bring his family here. 1711-12. February 28.

To the SAME.—Has been unwilling to trouble him while so profitably employed in the great concerns of the kingdom but now that, by God's blessing and a management peculiar to his Lordship, affairs look with a more promising aspect he begs leave to intreat his Lordship to consider his destitute condition. Will not describe what is so well known to Oxford. The not living with his family four months these four years nor having anything settled upon him for their maintenance and being so long out of the exercise of his ministry makes it that the time he was in prison was more tolerable to him. Prays for an allowance for the maintenance of his family or to be allowed to return to his ministry in Edinburgh and have a salary out of the bishops' rents. 1712, June 21.

The Rev. Ja. Greenshields to the Earl of Oxford.

1712, July 14. London.—Wants words to express his anxiety and trouble in being cast out of his ministry, so long absent from his wife and children with no settlement for their subsistence. Has not this month past had a farthing but what he borrowed. Nobody now thinks themselves under any obligation to relieve him. His only support is Oxford's assurance that Her Majesty would take care of him. Has a great desire to return to his ministry at Edinburgh. However in this and all other matters he will be determined by Her Majesty's pleasure. Begs with all the earnestness he can that Oxford will present this his humble petition to know how Her Majesty will be pleased to dispose of him and will grant him some present subsistence.

1712, August 27.—There is no part of my present condition that sits more hard upon me than to be out of all employment and being informed that the Duke of Hamilton is going ambassador to France, this is with all earnestness to beg you to recommend me to his Grace to be one of his chaplains.

Since I saw you I am informed of the death of Mr. Layton one of the prebendaries of Worcester which I humbly beg your Lordship to procure for me: It would with some ordinary living make a provision for me.

Mr. Dongworth, the Duchess of Buccleuch's chaplain, is putting in for it who though a very good man yet is not under such present necessity as I am, he having a living in Lincoln and a good salary from the Duchess. London. September 14, 1712.

P.S.—My grandfather commanded a troop of horse at the battle of Worcester and mortgaged his estate to support him in the service of King Charles I. and II, which my father (who is yet alive a clergyman) was never able to relieve but sold it.

"Your Lordship's character and business requires that I should be very tender of giving you unnecessary trouble but I hope you will pardon this and relieve my present necessity which I beg leave to lay before you in the very words that my wife has represented it in her letter of the 13th of this month which I received yesterday.

"Your family this month past has been like a hospital and is like so to continue though I hope in God that the worst is past. We were all stricken on the sudden with this new fever which like a plague has spread over city and country. It was a providence that I recovered first that I might attend on the rest which I was never so unable to perform as now my spirits being wasted with anxiety and my patience so tried by your long absence which is the more intolerable that I can see no end of it. I have been this month in extraordinaries never under 6 or 7 shillings a day, sometimes 10, in mere necessaries, and at the same time that I received your Bill of 5*l.* I must tell you that before this comes to your hand all will be disposed of, which hardship put upon you under your present circumstances puts me upon the rack."

Your Lordship may think me too troublesome and importunate but I hope my present distress will apologise for me. If your Lordship will allow me what I mentioned in my yesterday's memorial and pay it quarterly until you provide me in a living, you shall be free of all trouble for me. P.S.—The 5*l.* I borrowed from Mr. Campbell the goldsmith and I have not now a shilling in my possession. September 18, 1712.

Your Lordship not having taken any notice of my last letter I must renew my request. God has been pleased sorely to visit my family with sickness for some time which has been more expensive than I can allow. My wife by every letter assures me she cannot hold out longer under such a load and my children are of an age that renders it impossible for her to manage them alone. Begs for relief. London. September 27, 1712.

Reminds his Lordship of his promise at Windsor to relieve his present necessity when he came to London. It is now the fourth month since he had the last supply and since he came to England he has never been so hard put to it to relieve his family as in these last two months. As to providing him in a living he leaves that entirely to his Lordship and would not have moved at this time had not the Lord Keeper told him he could have nothing from him without the Archbishop of York's interest.

If the chaplain's place of the Scots Foot Guards could have been procured for petitioner it would have made a sufficient maintenance; and he has good information that that regiment never had a chaplain since it was in Flanders in King William's time. October 23, 1712.

Having sprained his foot which has confined him to his chamber two months he could not wait on his Lordship to acknowledge his grateful resentment of his favours. Her Majesty may have now an occasion to perform her promise of providing for him. The bishop of Drumore in Ireland died yesterday in this city. It is a bishopric in county Down and worth 800*l.* per annum, having about 16 livings, all but the deanery in the bishop's gift. Begs he may have the church of him upon whom the Queen shall bestow the bishopric. January 23, 1712-13.

Upon the decision of his case in the House of Lords he had good encouragement to return to his ministry at Edinburgh but submitted to the Queen's wish that he should not. His Lordship has since subsisted him and his family for which he is most grateful, but living at such a distance from his family and the exercise of his ministry has been most grievous to him. Believing that it will be most convenient for Her Majesty to settle him in Ireland he submits having already served a cure there for 16 years, as he can shew under the hand and seal of the present Archbishop of Armagh and others. His return to Ireland will be very grateful to the Scots presbyterians and to the Bishop of Edinburgh and his party. February 4, 1712-13. P.S.—Dr. Jenney, archdeacon of Drumore, having interest for that bishopric, if he succeed, begs he may succeed him in the archdeaconry which is only a living with cure of souls and no ecclesiastical jurisdiction. He is well known in that country and it would be very grateful to him and to his father who is a clergyman in that neighbourhood. Sir Thomas Vezey, Mr. Higgins are candidates also : petitioner will be glad to succeed any of them.

There is no man more unwilling than he to give his Lordship trouble but the cries of a family in the greatest distress sensibly affect him. In her last letter his wife conjures him to take some course with his children for she could no longer relieve them nor stay to be a witness of their misery : he would be in no better condition himself if some charitable persons did not relieve him in his diet. Begs for relief. July 24, 1713.

If his Lordship continue in his resolution to provide for him in Ireland, he begs he may be recommended to the Duke of Shrewsbury to go over as one of his chaplains. Since Oxford spoke to the Duke of Ormond his Grace disposed on two very good livings besides other preferments. Unless timely application be made to the Duke of Shrewsbury he may be engaged as Ormond was. September 16. London, 1713.

Being in this neighbourhood at Chertsey where he has preached for some time for an old acquaintance he came here this morning to have known his Lordship's answer to his letter of last week about recommending him to go over as one of the chaplains to the Duke of Shrewsbury to Ireland. The Duke goes soon and may be provided for with chaplains before petitioner can reach London. Renews his request for a recommendation. Windsor, September 21, 1713.

The kind promise his Lordship made when he last saw him at Windsor that he should be forthwith furnished with money and provided for in Ireland leads him, now that the supplying of the vacant bishopries in Ireland will make many lesser vacancies, to beg to be recommended to Her Majesty to be provided in a suitable living. Begs his Lordship for God's sake to prevent the final ruin of himself and his numerous family. December 5, 1713.

If Dr. Hamilton, archdeacon of Raphoe, be preferred to that bishopric, petitioner begs he may be recommended to the archdeaconry, which has no Ecclesiastical Jurisdiction but is only a living with cure of souls, in the gift of the Earl of Abercorn, but then in the gift of the Lord Lieutenant. It is a place altogether inhabited by the Scots amongst whom petitioner may do good service. It will be convenient for the transportation of his family. The clergy of that diocese, when he left Ireland, except three, were Scotsmen all of his acquaintance. March 9, 1713-14.

Lord JUSTICE CLERK to the EARL of MAR.

1711, June.—There happened a thing the other day which gave some diversion. Lord Dartmouth being to write to the Queen's Advocate concerning some persons who, as is said, have retired into this country sent a messenger with his letters express and directed them to Sir James Stewart as Queen's Advocate. The messenger coming to Sir David Dalrimple told he had letters for him but doubted there was some mistake in the direction. Sir David immediately opened the letters but recollecting what the messenger had said looked to the back and saw it directed to Sir James Stewart, H.M. Advocate. You may guess the alarm this would give after the story we have heard about this change. He immediately sent it to Sir James Stewart who refused to take it and sent it back to him. He pretends to say that this has been but an oversight in Lord Dartmouth, who has heard his name oftener than that of Sir David Dalrimple, but his countenance shews a good deal of satisfaction at the oversight. Sir David makes a jest of it but some of his friends are saying that they like not such jests that have so much the appearance of turning to earnest.

I wrote to you last winter about the report of the Commission from the Exchequer whereby your town of Alloa is made a creek and not a member. I told you the difficulty we had to stop filing the Commission. I have again got it delayed till next Term in hopes to hear from you about it, for it will be impossible to get it delayed any longer. The Duke of Hamilton, I am told, has written down to his agent to oppose you all he can. The chief Baron, contrary to the opinion of his brethren was pretty averse before. I shall only remember you of the arguments for making it a member; that it has the best harbour on the river and serves Stirling and all the country to the West and North West of it for a great way, that there is neither head port nor member on that side of the river from 15 or 16 miles below it to the very rise of the river, that it is a place of trade having about 36 ships and barques belonging to it, and if it yields not much to the Queen it is because of the running and smuggling trade driven there which would be prevented were it a member, that Borrowstouness the head port having no harbour and the sleeks at low water being so very deep and about half a mile broad there is no access to it but at full sea, by which those on the other side of the water stopping there for their clearances always lose a tide at least, which is a vast loss to those who drive a coast trade with coal, peats, salt, grain, etc., as many of the Alloa barques do, and sailing with a skipper, two men, and a boy, when they go ashore to get their clearances cannot leave above two in the ship who are not able to manage her in rough weather, and yet should a storm arise it is impossible for those gone ashore to get aboard at low water because of the sleeks though the ship should perish for want of hands to work and under all these inconveniences all on the north side of the water must continue except some place on that side be made a member and there is none pretended to deserve it except Alloa. The Commissioners were of this opinion and would have returned it so had it not been for the blunder of Balgownie, of which you are already informed. Borrowstouness can pretend nothing against this but that it will occasion less confluence of people to that place but it is a sufficient answer that, if private considerations are to be laid hold upon, the one is as good as the other. But the interest of trade and next of the revenue is to be considered, both which this will promote, and though it will occasion some more officers to be maintained yet the preventing of smuggling abundantly makes up that and much more. I wish you would speak to Baron Scroop of this and, if required to my Lord Treasurer. It is in the Queen's power to appoint any place to be a member, though, if the Exchequer will be so just as to do it, it is needless to go further, and it will certainly be a great advantage to the place to have it a member. Let me know what to do in case the chief baron overrule this matter and order the present report to be filed which I suspect he will do except he be instructed from above. The next Term begins very soon and, therefore, I hope you will lose no time or it will be too late. To shew that to make Alloa a member is nothing extraordinary, Greenock is returned to be a member and that almost independent of the head port though it lies within two miles of the new port. Glasgow, the head port, and several places in England are so. *Copy in Mar's handwriting.*

LORD CHIEF BARON J[ohn] SMITH to [the EARL OF OXFORD.]

1711, July 10. [Edinburgh.]—The temper of the people I am among makes it necessary to try at setting out what the softer methods of proceeding will effect, and there must be allowances made with regard to the general indisposition there is towards receiving a new course of law carried on among them. I am informed the merchants begin to be disposed to enter their wines as French, since they find they cannot get the assistance of juries to carry on their former method of trading to England upon writs of delivery. I would humbly submit it to your Lordship's consideration whether it might not be advisable to sue for the French duty those that will insist to enter their wines as Spanish, which I think may be done by English bill before us ; upon which we may decree the payment of what the Spanish duty falls short of the French, according to the proofs made before us, without sending the facts to be tried by a jury. But this method being new I desire it may be well considered, before it be attempted.

BARON JOHN SCROPE to [the EARL of OXFORD.]

1711, July 13. By almost every post from Scotland I hear that the officers of the Customs meet with such difficulty as renders the service insupportable.

They some time since (notwithstanding great resistance in which many of them were wounded) seized a considerable quantity of wine, brandy, and other goods, that came from a Dutch man-of-war, which they secured in the Queen's cellars at Leith. In a few nights after the doors were broke open though two of the Scots Guards were placed for their greater security, and forty hogsheads of the wine carried off, twenty of which have not been found nor any one that was concerned discovered, and very lately the cellars were again rifled and twenty one ankers of brandy conveyed away.

At Burroughstoness the Queen's warehouse hath been twice broke open of late, and a great quantity of wine, pepper and other goods carried off. About the same time the officers there endeavouring to seize some brandy that was run, the mob rose upon them and by force took it away. Many things of the like nature have happened of late which so much discourage the officers, that if they know of goods that are run they dare not attempt to seize it.

I am desired by some of them humbly to submit to your Lordship's consideration, whether it will not be proper by a Proclamation, or some other public advertisement to offer a considerable reward to any one that will discover the persons concerned in stealing the goods out of Her Majesty's cellars and warehouses that they may be made examples of. And there being great reason to suspect that the Scots Guards have been concerned in these practices, whether it may not be fit to supply their places with some English forces ? And in the meantime that the goods under seizure at Leith may be secured in the Castle of Edinburgh and the gentlemen in that country directed to order the forces there to be from time to time assisting to the officers of the Customs if there shall be occasion.

THE SIGNET.

MEMORANDUM relating to the SIGNET of SCOTLAND. The Secretaries of Scotland by their commission were constituted keepers of the Signet, impowered to make deputies and appoint clerks and writers to the Signet. They appointed their friends to be their deputies who were above troubling themselves with the business, and therefore those deputies made sub-deputies who kept the Seal and Records and were generally inconsiderable people. They accounted for the fees and performed the service for what they called "Drink Money," which was what they could get for despatch.

The Drink Money often came to more than the fees. The business of this, as well as of the Great and other Seals, was transacted at Public Houses, where things were sealed ; and so little care was taken in admitting Writers to the Signet, through whose hands all their conveyances and process pass, that they are now become very numerous and most of them so ignorant that many of their writings are neither to be read or understood.

To remedy this evil, it will be proper to put the Signet into such hands as will take care of the business that belongs to it, and to give no other power by the commission than barely what belongs to the Signet and the admitting of clerks or writers. It may be committed to the custody of one or more, but whoever hath it ought not to execute it by deputies.

If this falls into careful hands, it is probable some clerkship will be brought into that country, to which, at present, they are great strangers, the records will be kept in some order, and the dignity of Her Majesty's Seal will be restored.

It will be contended by those that are for setting up a Scots Secretary that there will be wanting somebody to dispatch business in London, but there is very little in that pretence for all things that relate to the revenue are under my Lord Treasurer's care and must pass through the Treasury. There will be little other business, perhaps now and then the making of a judge or other officer, for which there are forms of warrants in the Scots Secretary's books. *Unsigned.*

Oxford's docket. Received July 14, 1711.

The EARL of MAR to the EARL of OXFORD.

1711, July 19. Whitehall.—The sincere concern I have in everything relating to you will, I hope, excuse me for taking this opportunity in condoling you on the untimely death of your worthy and true friend the Duke of Newcastle, the loss of whom I take to be a very great one to the Queen's service and at this time in particular. But it is Her Majesty's and her kingdom's good fortune to have your Lordship who can best advise how to repair that loss and I hope your other friends will take the example of this valuable man in his steady and firm friendship to you : and, if you will be pleased to reckon me amongst the humblest of them you will do me a great honour.

ALEX[ANDER ROSE], BISHOP OF EDINBURGH, to [the EARL OF OXFORD.]

1711, July 31. Edinburgh.—Being altogether unknown to your Lordship, but, having understood this day what a special favour the Queen has ordered for me by means of your condescension and generous goodness, I humbly beg leave to give this most sensible expression of my most grateful acknowledgment, &c.

SIR JAMES STEUART to the EARL of OXFORD.

1711, August 1. Edinburgh.—I do most humbly with these present to your Lordship the bearer Sir James Steuart my son. He hath the honour to be one of Her Majesty's solicitors in North Britain and therefore conceived it his duty to wait upon Her Majesty to whom I hope he may have the best access by your Lordship's favour. I have likewise the unhappiness to have a considerable debt of arrears due to me for my services while Her Majesty's Advocate and I have ordered my son to lay my claim with the documents of it before your Lordship. It is not indeed an ordinary thing that Her Majesty's Advocate should have such a sum of arrears resting but my lord it was my easiness and great trust to our Government and since I can say that I served faithfully and diligently I know Her Majesty in her royal justice will never suffer an old servant to be a loser especially when what is due is so considerable a part of my small fortune, I must therefore in this also cast myself entirely upon your lordship's favour and I only entreat that my son and I may have your lordship's countenance as we shall ever most sincerely endeavour to deserve it.

Docketed by Oxford. Received August 22.

The Rev. JO[HN] STIRLING to [the EARL OF OXFORD.]

1711, August 2.—I humbly beg leave to congratulate your Lordship on the honour and eminent trust Her Majesty has so justly conferred on you.

Some months ago Mr. Carstares showed me a letter from your Lordship in which you were pleased to give assurance of the continuance of our gifts; on that account I am encouraged to entreat you will give such orders about Glasgow's gift as may render it effectual to the professors who are subsisted by it that they may be easy and encouraged to prosecute her Majesty's design in granting it.

Your known generous inclination to promote true and solid learning makes me believe that you will lay this new obligation not on me only but on all the members of Glasgow University; and therefore I have ordered Mr. Northland one of our professors to wait on your Lordship: to him anything which may be found necessary for securing and continuing the payments may be safely trusted.

The Earl of Mar and the Earl of Loudoun to the Lord Treasurer.

1711, August 4. Whitehall. Concerning their right to the house they live in as Secretaries for Scotland. Before they could live in it they were obliged to lay out above 500*l*. to make it habitable. An order for the amount on the Treasury of Scotland was given them, but they never got payment of it. They were inclined to make further repairs, alterations and additions to the house and proposed to the Queen by the Duke of Shrewsbury that if she would let them keep possession of it until such money was refunded they would do so ; and this was agreed to. The Duke of Richmond, they are informed, has a privy seal for his house adjoining theirs for thirty one years, or 3,000*l*. in case of the re-building Whitehall and his house thrown down. The charges they have incurred on their house are very near 3,000*l*. each, so they desire to have it secured to them on the same terms as the Duke has his.

Colonel Jo. Stewart to [the Earl of Oxford.]

1711, September 18. Edinburgh.—I am very sensible I ought not to offer your Lordship any trouble considering the great weight of affairs in your Lordship's hands. But the necessity of my circumstances will (I hope) plead your Lordship's pardon. I had the honour once to speak to your Lordship and then told you the state Colonel Grant and I were in. Notwithstanding of a regulation agreed upon betwixt the nations, that where officers are wanting to relieve any taken on either side at sea, a certain number of seamen are to be given for every officer conform to his character which the Spanish in our case refuse to perform, and demand my Lord Midleton's sons who I suppose are detained on some other account than the King of Spain can lay to our charge who are only prisoners of war. If your Lordship thinks I am more importunate and troublesome than Mr. Grant, I beg your Lordship would consider that he has a very plentiful estate and came to the head of a regiment without any trouble or labour, and I have been drudging above these twenty years, and still in a hard enough way of living by my employment, and the little I had of my own, have not kept up from the service of my country both at home and abroad, besides a share of chances in the war to my person, and particularly last year, when taken, was wounded and lost all my equipage. My Lord the character your Lordship has always bore in the world makes me flatter myself you will have a little compassion for a poor gentleman who has been endeavouring all his life to serve his country with reputation, had never much justice and little favour. I am afraid my ill fortune hitherto may be but bad encouragement to your Lordship when you find I have had few friends. I beg your Lordship will put some favourable construction upon it and believe there has been some ill fortune as well as want of merit. I can give your Lordship no greater proof of the uneasiness I am under than the freedom I have taken to address myself to your Lordship after this manner.

Though my confinement is not narrow yet the thoughts of being a prisoner, and unjustly detained are not easy to bear, I am under another unhappy circumstance in being a stranger to your Lordship, yet not afraid to desire your Lordship may inform yourself if I deserve any consideration or favour from your Lordship. I have often addressed myself to my Lord Dartmouth who promised licences for longer time, the last ends the 20th of November. If your Lordship takes the trouble of reading this, though I do not presume to desire a answer, yet do beg your Lordship will let my Lord Duplin know, what hopes I may have of liberty or any other favour from your Lordship, on whom I most depend.

I was presented to the Queen last year when I came from Spain and Her Majesty desired to be put in mind to do something for me. I wish I were at liberty for her service. I am ashamed of this long letter and entreat your Lordship will forgive me.

PRESBYTERY of CAITHNESS to the COMMISSION of the GENERAL ASSEMBLY.

1711, September 19. Thurso. Their commissioner to the late Assembly bore their instructions for representing one Moody of Melsetter in Orkney, a stated enemy of religion and professors of it, with respect to a particular encroachment on their discipline in this presbytery. The repeated injuries of this man and his complices the justices of the peace in the country of Orkney gives us new occasion of repeating our instances. They refer the Commission for that to the Reverend James Sands, minister of the gospel at Birsay.

The EARL of DARTMOUTH to the EARL of OXFORD.

1711, September 21. Whitehall.—Having laid before the Lords of the Committee of Council a letter which I received from the Lord Provost of Edinburgh relating to the quarantine there, I am commanded to send your Lordship a copy of it, which is here enclosed.

Enclosure.—My Lord.—This comes chiefly to advise your Lordship that Thursday night last the magistrates of this city and I were mightily surprized by an express from our shoremaster at Leith advising that several ships come from the Baltic were coming into the harbour of Leith. Upon which warrant was immediately transmitted to plant sentries and stop the landing of men or goods till further orders, and yesterday morning I caused advertise the Commissioners of Customs to meet me with the magistrates in the council chamber to advise with them what was fit to be done. Finding the ships had duly lain quarantine by production of certificates in the terms of the Act, the mariners were allowed to come on shore but considering that several of the ships were loaded with iron, flare, and other bale goods, their hatches were ordained to be sealed until the queen's and council's mind were known. There being other ships who having nothing but iron and timber on board I doubt not but the water-bailie at Leith and collector there will give directions for unloading of these, though at the time the hatches of all were ordained to be locked and sealed, the magistrates and I lie under no small difficulty for want of a place appointed for airing of such goods as the law appoints to be aired. Though there be a very convenient road where ships hitherto have lain quarantine and the commander in chief ordered some of H.M. forces to lie on each side of the river the better to oblige them to observe quarantine, yet I am informed that both persons lying quarantine come on shore and others go on board and goods are frequently embezzled whereby the Queen's revenues are diminished. I suggest therefore if the Lords Commissioners of Admiralty would give directions to any small ships of four or six guns to lie at anchor by them, it would better oblige them to perform quarantine, Adam Broun, Edinburgh. September, 1711.

Sir James Steuart to [the Earl of Oxford.]

1711, October 2.—That it hath so graciously pleased Her Majesty by your Lordship's most obliging procurement to repone me to the office of Her Majesty's Advocate for Scotland shall I hope ever be acknowledged with all the returns of service and gratitude whereof I am capable and if I may be honoured with your Lordship's direction in such particulars as may occur it shall be very acceptable. It hath pleased my L. Secretary Dartmouth to ask my opinion about that foolish medal and paper of our Advocate's loyalty and what I have answered I most humbly submit to your Lordship's censure. All I beg at present is that your Lordship would be pleased to allow us to lay before you from time to time memorials of such occurrences as may be thought needful for information and what your Lordship shall be pleased to return shall be punctually observed and when no return shall be made there shall be no mistake my sincere designs being to serve Her Majesty under the direction of your Lordship's ministers to my utmost.

M. H. to ——— ———

1711, October 5. I have received two letters from you in answer to mine, one with the proposals anent the troops which I still think will be of great use for the purpose if they were sent speedily, though they should lie only this winter, and though it were true that the Isle of Man is now in the Queen's hands.

My son Young has lately been defeated by a concourse of women and the prey rescued, which calls more quickly for what is above-mentioned for nothing is so likely to cure the distemper as that is. Give my most humble service to his Lordship and tell him and his gang that they had need to take heed to their feet for the old ministry are indeavouring to undermine them and their operations are come . . . and have had no small impression on the minds of several in our country. They give it out that Dr. Sacheverill was Harley's emissary to beget such a convulsion in the State as might overturn the old ministry that were for keeping matters upon the revolution foot and so to depress the Low and set up the High Church, which appears every day more and more by their first influencing her Majesty to choose her greatest ministers out of the High Tory and Church Party and to advance the clergy to Civil Offices a thing exploded by their former reformations. All which (say they) have a prospect to and is preparative for the Pretender. Some of these operators come as far as Cornwall. *Verbum sapienti.*

As to the American undertaking I hear that one Colonel Z. who was the sole projector of that affair is called from his government to command a single regiment in that undertaking. If Her Majesty and Council thought the contrivance so good as to bestow an expence upon it, any thinking person will judge that the projector was fittest to be the principal director and if it miscarry I fear he bear the blame, and if it prosper (which I heartily pray it may) all his pains and profits may issue in that of the poet *Hos ego versiculos feci, tulit alter honores.* It is wished by some that Madam Mevit may attend the Queen and Court as well as Madam Masham. I have had great esteem of D. Robinson these many years and am still of the same mind.

P.S.—I have got the pamphlet I wrote to you for, the sad story of the Swedish Government, etc. Well worth the helmsmen's consideration lest they sink the nation by the College of Liquidation! Favour me with what you hear from America, good or bad. [*The name of the addressee has been cut out.*]

SIR JAMES STEUART to the EARL of OXFORD.

1711, October 6. Edinburgh.—I signified to your Lordship by my last that I was required by my Lord Secretary Dartmouth to examine the affair of the unlucky medal, etc., and to report. My Lord! this I have done with all exactness and sincerity I could use and do herewith send your Lordship enclosed (as I have done to my lord Secretary) the memorial I have made upon it. Your Lordship will see it contains my opinion as a lawyer both of the relevancy and probation and against whom and where it may be prosecuted and to advise further is without my sphere only as I heartily wish this unlucky business had never happened so I would also hope that all the folly and malice of it is now spent and nothing more to be apprehended from it. My lord there is an Imperial Constitution *Cod. li. 9, tit. 7. Si quis imperatori maledixerit* which I humbly presume to lay before your Lordship at your leisure. What further orders I shall receive shall be punctually observed. *Enclosure missing.*

Drafts, with corrections in Oxford's hand, of three letters on the same sheet.

(1) To the Duke of [Hamilton ?]

1711, October 8.—I read your Grace's letter to the Queen who took the trouble again to read Shepheard the keeper's letter which shews his impertinence very plainly. The Queen says she remembers the hunting in Sir Sewster Peyton's time which was quite a different case from this. And as to your putting away all your keepers, the Queen's advice is it was not her thoughts for she never willingly removed any one without a fault.

(2.) To the [Earl of Stair ?]

My Lord,—I received your letter from my Lord Dartmouth and am very well pleased to receive the assurances you give me of your duty and affection to my service.

As to the particular you ask about the peerage, you know how great a warmth the affair of the Duke of Queensberry occasioned and I must see the run of what passes in this of Duke Hamilton before I can entertain any thoughts on that subject.

(3.) To the Same.

This bearer brings you full instructions in every particular from the Secretary of State, as also my leave for your coming home accordingly as you desired I must particularly recommend to you the affair of Minorca *because it is of so great consequence* to Britain. I hope it will take you up but little time. You will haply judge of the importance of the affair. I doubt not I shall have when I see you to thank you for your success and care therein.

Sir James Stewart, Lord Advocate of Scotland, to Mr. Patrick Dumbreck.

1711, October 12. Edinburgh.—It is represented by the magistrates of Aberdeen that you intend and are preparing to set up a Meeting-house for public worship in the Earl Marishal's house in Aberdeen and I understand that all you have for being either deacon or presbiter is a warrant from the 'exauctural' Bishop of Murray in the year 1696 after the abolition of prelacy, and that you also produce a presentation from the Earl Marishal to be one of his chaplains, whereby you think yourself sufficiently qualified for what you design, especially in the Earl's house in Aberdeen, which you allege to be exempted from the magistrates as holding of the Crown and not burgage. Sir, this being an affair that visibly concerns the public peace and the observance of our laws and present establishments, I judged it my part to tell you, First, that the Earl Marishall's house, as I am informed, holds burgage of the queen and magistrates, but though it hold otherways of the queen yet its situation subjects it to the magistrates, as we see observed in many other burghs royal. Secondly, you cannot in reason think that your titles from an exauctorate bishop after their abolition can be of any value for otherways our laws abolishing prelacy and establishing presbitry in its place can be of no force ; and you may also remember that in consequence of those laws the privy council did discharge all such ordinations under severe penalties. Thirdly, you may see very plainly by the 5 act, paragraph 90, the 23rd act, paragraph 93, and the 22 act, paragraph 1695, that no person, unless authorized by our Presbiterian Church and qualified as these acts require, can exercise any part of the ministerial function in Scotland, or if they presume to do otherways may lawfully be discharged and removed by the magistrates thereto intrusted, and therefore I must require you to observe the laws aforesaid and not to presume by any illegal or irregular practice to disturb the peace of the place or violate the present establishment.

As for your being a chaplain to the Earl, I shall not determine what it may import but I am sure the Earl neither can nor ever intended to make you a public minister or to authorize you to do anything inconsistent with our present establishment. And therefore, Sir, I gain admonish you to desist from this illegal practice as you will be answerable and you may believe that this admonition is given you both honestly and charitably. *Copy.*

Mr. Dumbreck's answer. Yesterday I had the honour of yours which I am to send to the Earl Marishall and how soon I receive his answer and orders (which I will punctually obey) I shall transmit what of them he shall be pleased to order me to communicate to you. In the meantime, I must suggest that my character and circumstances when thoroughly examined will be found to be otherways than they are represented. *Copy.*

SIR JAMES STEUART, Lord Advocate, to [the EARL OF OXFORD].

1711, October 25.—My son is now returned full fraighted with the sense of your Lordship's favour and kindness which I hope he shall more and more deserve. My lord according to the order sent me by my Lord Dartmouth I have taken up Mr. James Dundass, of Arnistoun, and begun the prosecution against him which I intend shall be both for his wicked pamphlet and accession to the medal, and that the trial shall be before our

Justiciary Court once in November. I have other disorders to complain of but I will not trouble your Lordship with them immediately, hoping you may hear of them from a better hand. But, my Lord, if I may presume a little further, I would humbly recommend to your Lordship's favour the business of Sir Andrew Kennedy our Conservator in the Netherlands. Your Lordship knows that the House of Peers has done him justice but it is thought that though they have reponed him to his place yet he may need Her Majesty's new gift or confirmation to set him right with the Magistrates of Camphere. He hath also a good claim for his pension and arrears. But, my lord, his lady my cousin is still there and I can only assure your Lordship he is a very honest man and hath been almost ruined he and his numerous family by the hardships he hath met with. *Signed.*

P.S.—[*In his own hand*]. My Lord. The gout forces me to use another hand.

LORD JUSTICE CLARK [ERSKINE] to the EARL OF MAR.

1711, October 27. Edinburgh.—Dear Brother, I long impatiently to hear how your sister is, since the ill account of her in your two last. I was to have written fully to you this night, both of your own private affairs and some other things, but having just removed my family from the country to this town, I cannot get it done till next post. All I am to trouble you with at present is that the Bishop of Edinburgh acquaints me he has got a letter from one Dumbreck, an Episcopal clergyman whom E. Marisshal has made one of his chaplains and allowed him his house in the town of Aberdeen wherein he reads the English Prayer Book. He acquaints the Bishop that the magistrates and established clergy in this place are troubling him, and that the present Lord Advocate goes along with them in it. The Bishop likewise tells me that the Presbytery of Perth and that in the east of Fife proceed against one in the town of Perth and another in the town of Crail on the same account. He pretends that they are encouraged to this by a letter he hears Mr. Carstairs writes down telling his brethren they need not be afraid for a great man is their friend. I told the Bishop that if Mr. Carstairs had wrote such a letter, I was sure he intended not that any such use should be made of it; and that the great man's friendship could not be meant to encourage them to do illegal things against their Episcopal brethren or to treat them harshly. I promised to speak to my Lord Advocate of these things, which I did immediately after I went from the Bishop. Lord Advocate told me that the magistrates of Aberdeen wrote to him concerning Dumbreck and asked his advice, that upon this he wrote to Dumbreck himself, and told him he was acting against law and admonished him to forbear; to which Dumbreck has answered that, being E. Marischal's chaplain and exercising his ministry in a house of his Lordship's till he heard from his patron about it he thought not fit to make a return but thanked the Advocate for his admonitions, that he also wrote to the magistrates, telling him that Dumbreck's procedure in setting up a meeting house for the English Service was illegal, and advising them to exhort him to forbear, and, if he would not, I am afraid he has told them they might proceed against him; but he says he wrote that it was best that the clergy should not meddle with him. That he also wrote to E. Marischal, telling him that so noble and generous a person as he, would do nothing that might disturb the peace of the Country and therefore begging he would no longer encourage Dumbreck. You may be pleased to notice that Dumbreck is said to have been ordained by a Scots exauctorated bishop as Greenshields was, and I believe he has likewise taken all the oaths to the Government required by law. I need not trouble you with the reasoning I had with the Queen's Advocate, as to the legality of such a man's setting up a meeting house for the English service, but it were surprising to see how far prepossession and bending the thoughts always one way and to one side imposes even upon wise men had not the long course of all ages given so many instances of it. In short he still seems to think that the procedure here against Greenshields was right, and that no Episcopal meeting house can by law be allowed for which, with all respect to him, he gives very weak arguments. I endeavoured to convince him how imprudent it was to proceed against these men, and he at length said to me that he would not prosecute them. I told him that if the Magistrates proceed and give sentence against him, he would certainly offer a suspension either to the Session or Court of Justiciary which would bring all these matters again in dispute as much as if he did prosecute him. What way he will take to prevent this or whether he will at all endeavour it I cannot certainly tell you; but I thought he seemed to be concerned at what I said to him. As to the man at Perth and the other at Crail, he said he knew nothing. This will make all that party cry out upon him, and the more that Sir D. Dallrymple and his friends (as I am told) give out that he was turned off for his gentleness in Dundas's affair, of which more by next post. I humbly think it were not amiss that the Advocate were cautioned from Court as to the Episcopal clergy who take the oaths and have only meeting houses and plainly told how to treat them, and at the same time be desired to support the Established Church in her just rights; for that will make the other sound much better and take the easier with our clergy and their too passive disciples. The sooner that this be done it will be the better, and I am much mistaken if it be not very requisite to do it. If this be done speedily, I hope we shall live calmly here, and such questions be kept from before the judicatures. Had I known of this sooner, I had sooner acquainted you of it. I would not desire to be seen in what I have written to you concerning the Advocate lest he take ill and afterwards mistrust me, but I hope you will do something effectually in it, both for the peace of this Country and for the honour of the Queen's measures in making the late change in that Office; for if through his doings or advice such things come again to make noise, the friends of the former and others, will triumph exceedingly, and it must do the Queen's affairs harm. If he be plainly told how the Queen expects he will proceed as to such Episcopal clergy it will have I doubt not, the desired success.

[P.S.]—I spoke to him of Ilay and Skinner of which next post.

W. CALDERWOOD to [the EARL of OXFORD.]

1711, October 29.—I received the two letters by which her Majesty is graciously pleased to constitute me one of the Judges of Session and Justiciary. I owe my advancement to your Lordship for which I give you my most humble and hearty thanks.

The Rev. WILLIAM MITCHELL, moderator, to [the EARL of OXFORD.]

1711, November 2. Edinburgh.—I should not have the confidence to address a person of your high character in any particular relating to myself, but the commission of the late General Assembly of this Church, for the weighty and pressing causes mentioned in their Act, having judged it their duty to excite persons of all ranks within Scotland to fasting and humiliation, I hope you will pardon me that I transmit a copy of it to you by their appointment; and that I, in their name, signify to you that, being informed of the kind regard you have been pleased to shew to the applications made to you on behalf of this church by the Revd. Mr. Carstares, they do with great confidence assure themselves that you will continue to employ your interest, which they well know will be of great advantage for maintaining the just rights and privileges of our Church, secured to her by law, and at present they are encouraged humbly to intreat your kind assistance in obtaining the royal sanction to this Fast to be obtained as soon as it doth consist with Her Majesty's convenience.

SIR JAMES STEUART, Lord Advocate for Scotland, to [the EARL of OXFORD.]

1711, November 3. Edinburgh.—I humbly entreat in the entry that the length of this letter may not hinder your Lordship from reading and considering it as the matter deserves.

My Lord! for some time past we have had several complaints of disorders and mobs or rabbles against our present Church

Establishment but the Commission of the last General Assembly being met according to appointment upon the 31st of October last, the members from several parts of the nation have brought so many complaints of disorders and rabbles and such as seem rather to be on the growing hand as are very afflicting to all good men.

The disorders complained of are, first, in a Representation from the Presbytery of Aberdeen that one Mr. Dumbreck pretending to be licensed and ordained by our exauctoral Bishops and to be a chaplain of the Earl Marischal a Peer of Britain hath of late upon a recent warrant from the exauctoral Bishop of Aberdeen prepared a house in the Earl Marischal's lodgings in Aberdeen for a public meeting by erecting a pulpit and Communion Table and seats and desks for a congregation where he purposes to preach and use the English Service and administer the Sacraments, and when called by the Magistrates to answer for this ill practice as contrary to law his answer was that he was not of the Presbyterian Communion nor subject to the jurisdiction of our Church, and that the House of Peers in their judgment given in Mr. Greenshields' case had found there was no law in Scotland prohibiting him to set up and exercise the English Service, and that besides as Chaplain to the Earl Marischal and setting up a meeting house in his lodgings he was particularly exempted from the jurisdiction of the Magistrates and of the Presbytery of Aberdeen. And when called on the same occasion to compear before the Presbytery he gave almost the same answers, that he was not of the Presbyterian Communion nor liable to their jurisdiction and that the House of Peers did in Mr. Greenshields' case find and declare that there was no law in Scotland against the exercise of the English Service in any meeting house and that therefore he declined the Presbytery and protested against their proceeding against him. And albeit he received both from the Magistrates and Presbytery sufficient answers to all his allegations yet he persists and hath set up his Meeting house and endeavours to get a congregations to the great disturbance of the quiet of the place and the prejudice of our present Establishment. After this complaint, whereof I give your Lordship the more large account because it contains the sum of all alleged by others in the like cases, there is a Representation from the Synod of Angus, that they have complaints from the respective Presbyterys of their bounds of innovations in worship preached by Meeting-house-keepers and of their trafficking measures taken for propagating these innovations and now the same grows to a great excess and therefore desiring that this Commission of the Assembly may give warning hereof to all other Synods for preventing these growing disorders, and there are also informations of this kind from Elgin, Inverness, and Orkney, and several other places how these Dissenting meeting houses are increased and the English service set up therein and all on purpose to create disturbance to the present Establishment.

My Lord! these things are not only afflicting but very perplexing as to what remedy may be used, and after much serious deliberation what method might be most decent, dutiful, and effectual, in the present circumstances, it was resolved by the Brethren entrusted in that matter that I should lay the same before your Lordship in a full information to be communicated to Her Majesty as you shall see cause.

And in the first place it is most humbly represented that it is well known, that all our Episcopal Dissenting Meeting houses have no genuine rise from Conference or any Religious Concern, but that being occasioned by the turning out of so many Episcopal Ministers at the Revolution and a great part of them for not praying for King William, these Meetings have for the most part been promoted by such persons as are known to be disaffected to the Revolution and Her Majesty's present Government, and they are the very same persons who taking occasion from the late Union of the two Kingdoms do purposely introduce and advance the English Service that they may increase the disturbance to our present Church Establishment whereby they know that Her Majesty's Government is most favoured and best secured in North Britain. I need not tell your Lordship that our Church even when Episcopal before the year 1638 and for all the endeavours used to have had us then brought to a nearer conformity to the Church of England yet few were prevailed upon, and the aversion was known to be very general. And though after the year 1638 there happened as great a Revolution in our Church from Prelacy to Presbytery yet for more than two and twenty years of that Presbyterian Establishment there was not almost one Dissenting Meeting house of the Episcopal way to be found in all Scotland. Whereby it may be plainly understood how little our people as Protestants are inclined either to Prelacy or any Foreign innovation and that whatever hath of late appeared to the contrary must be ascribed to the occasions and influences that I have named and is plainly carried on by a disaffected faction with little or no concern of Conscience.

In the next place, I must humbly represent to your Lordship that there can be nothing more grievous to this Church than to hear it so often objected that we have no law in Scotland discharging Dissenting Meeting houses and the English service, whereas it is well known that we have the Act of Parliament 1690 settling and establishing Presbyterian Church government to be the only Church government in Scotland, which the Brethren judge doth entrust the Church leaders and guides with the public administration of Religious Worship and Ordinances as by their Divine Commission they are appointed to be Watchmen and Overseers over those committed to their charge, which albeit it doth not oblige all of the Church of Scotland to be of one persuasion yet certainly it gives the Church rulers and guides the power and oversight of all that pretend to the public ministry within Scotland specially since the same Act of Parliament doth fully authorize them to try and purge out all insufficient, scandalous, and erroneous, ministers and to redress all other Church disorders, which necessarily and far more implies their power and oversight as to all Intrants. Secondly, to make this matter more clear, we have the Act of Parliament 1693, that no person be admitted to be a Minister or preacher within this Church unless he qualify to the Government, subscribe the Confession of Faith, subm . . . . Presbytery and agree to and observe the uniformity of worship and . . . . have the Act 1695 against intruders which declares all to be such . . . . shall exercise any part of the ministerial function within any . . . . without an orderly call and legal admission from the Presbytery of . . . . empowering all Magistrates to remove such and declare them . . . . complaint from any Presbytery in the terms of the Act; all which Acts being again ratified reserved and expressly stipulated to remain inviolable in the late Acts of Union pass in both Parliaments. Your Lordship may plainly observe that a Church could not be better secured and fenced against all pretending to preach or exercise public worship therein without its authority and consent and that to allege that this settlement of Presbyterian government doth only affect and concern such as are of the Presbyterian Communion and guard public Churches and Manses against intruders is to overturn our settlement, break down all its fences, and lay us open to all manner of invasion by men howsoever perverse and erroneous. And therefore it was also with some satisfaction observed that the House of Peers in their judgment of Mr. Greenshields cause did expressly forbear to meddle with the Presbytery's sentence against him that was so well founded on these laws. Now, my Lord ! as these are our standing laws so it is thereby also expressly provided that the Lords of Her Majesty's Privy Council and all other Magistrates and Judges and Officers of Justice give all due assistance for making the sentences and censures of the Church and Judicatures thereof to be obeyed or otherwise effectual as accords : which is indeed all that our Church pretends to in these matters, and [we] are very confident that Her Majesty will be ever careful to maintain so good a settlement, and withal that, if our adversaries were but as clearly certified of this as we are firmly assured of it, it might prove at least a stop to these growing disorders.

I have already told your Lordship what was the occasion of these Dissenting Meeting houses and by whose measures and influence they are principally promoted and that in effect in all this matter there appears nothing of conscience at least no solid ground for any pretext of it as may be obvious to all considering persons, and whereof there needs no better argument than the late unnecessary and unaccountable affectation to introduce and set up in this Church a Foreign Service almost unknown therein even when Episcopal much more when Presbyterian.

But, my Lord! that which is most complained of is, the evil tendency and effects of these disorders and innovations which appear to the Brethren to be plainly the ruin of serious religion, the slighting and deserting the ordinances of Jesus Christ, the amusing of idle and vain people with novel forms and modes to the prejudice of sincere worship, the making of seditions and promoting of faction with endless strifes and contentions, and all to the discouraging of those who are best affected and the encouraging of others who are knowingly ill affected to Her Majesty's Government, as also the alienating of all sober persons more and more from the late Union, from all which evils if not timely prevented nothing can be expected save greater confusions. And these are indeed the evils that we most heartily regret for otherwise it is well known that both I and others are rather judged to be inclined to an over connivance where an open design of disturbance or worse affects of faction and division do not evidently appear as may be verified by many instances.

My Lord! it is far from the Brethren's purpose to reflect herein the least upon the English Liturgy or Service, it is the innovation and affectation of it that they only point at, for all innovations are known to be dangerous but unnecessary and I may say wanton innovations in the matter of religion and Divine worship seem to be most inconsistent with the true spirit thereof. We know and do well consider that there are different forms amongst all the reformed Churches and do only heartily wish that to what measure of light and reformation any of us have already attained we may walk by the same rule and mind the same thing in the study and sincere practice of holiness and true piety and that if anything we be otherwise minded we may patiently and charitably wait until God shall reveal the same. And therefore, my Lord! I am very free to say both for myself and in the name of the Brethren that I believe even the Archbishop of Canterbury if duly apprised of the condition of this Church and all its circumstances would agree to what is here written.

My Lord! the second ground of complaint I spoke of was mobs or rablings, that is open and violent oppositions to ministers and Presbyterys specially in planting and supplying of Churches which violent oppositions have of late arisen to that height as is truly a scandal to any civil government or society and of these I shall only give your Lordship a few instances. In Ross-shire and as to the parish of Garrioch there the Presbytery of the Bounds offered to plant and send a minister, but when he was upon his way in Sir John McKenzie of Coul's bounds he is seized by a number of men, disguised, and for several days carried over mountains and deserts with all barbarous treatment and almost starved and then dismissed. Then in Orkney faithful Ministers for doing their duty are persecuted and vexed and at length most calumniously accused before a packed meeting of Justices of Peace of theft and spulzie and accordingly sentenced, besides several other violent practices of the said Justices of Peace against Ministers. Then thirdly very lately in the shire of Ross and about the planting of the parish of Kennemuir five or six gentlemen of the name of McKenzie compear openly before the Presbytery and give in a signed protestation under their hands disclaiming Presbyterian government and all the proceedings of the Presbytery as being contrary to the inclinations of that people, thus manifestly both opposing our standing laws and endeavouring to ridicule our claim of right, and after the Sheriff of the shire was pledged to assist the Presbytery and get the Ministers peaceably ordained yet the next day when he came to preach a party of men and women fell upon him and his company and beat them most cruelly and wounded the Minister to the effusion of his blood and threatened to pull down the house where he thought to take refuge. My Lord, these are a few of the many violences that have happened and it is very true that the public justice may reach and punish them but it is as true that the same violences are often managed by such contrivances as quite frustrate the discovery.

And therefore having detained your Lordship so long upon these sad complaints I am far from proposing positively what may be the proper remedies, but yet I must and do very seriously wish, first That it might please Her Majesty to cause review and give us a better set of Justices of Peace specially in such parts where the defect is not ours; and secondly, that it may also please Her Majesty to emit a gracious proclamation taking notice as far as may be judged proper of these disorders and violences and declaring her firm purpose to maintain our present Church Establishment as settled by law and confirmed by the inviolable condition and stipulation of the Union. And to recommend to all Magistrates and others concerned the execution and observation of these laws. And withal to recommend to all her good subjects that charity and moderation that best becomes Christians and may be most conducive for the public peace.

My Lord ! let not this my poor wish be reckoned presumption for I do protest seriously for myself and I think I may do it also for the Brethren, that we aim at nothing in all these things save the glory of God, the honour and true interest of Her Majesty's Government, and the peace of this Country and the quiet of this poor Church so happily settled after such great and sad tossings and troubles. And that God may always direct Her Majesty and your Lordship and all her Ministers and servants in the true ways of righteousness and peace and also long preserve Her Majesty and ever more and more bless her and her Government is and shall be our most constant prayers. *Signed* Ja. Steuart.

Sir James Steuart to the Reverend William Carstairs, London.

1711, November 3. Edinburgh.—The Commission of the General Assembly being met here more numerous than ordinary upon Wednesday last the informations from Aberdeen, Elgin, Inverness, Orkney, and other parts, with a heavy representation from the Synod of Angus and Mearns, of the great and growing disorders of meeting houses and innovations, were very grievous to all good men and likely to have been warmly entertained by the members of the Commission. For it was discoursed amongst them that not only the Queen should be directly addressed on that matter but that it should be one of the principal causes of a national fast, which many thought was no great an advance to be made at first and might rather do hurt to our cause, and therefore in a considerable Committee appointed for that purpose the only satisfactory expedient could be found was that I should write the enclosed letter to my Lord High Treasurer as the most decent and dutiful way for Her Majesty's information and by the enclosed which is left to you to peruse, seal, and deliver, you will see what is performed. For my part you may be sure I was not forward in the undertaking save to prevent any worse method nor would I undertake it without having three or four appointed for my assistants but now since it is done in great truth and sincerity and with all possible respect to Her Majesty and my Lord Treasurer I hope it will not only be taken in good part but what is so rationally and submissively proposed in it may be obtained for the visible peace and quiet of this poor Church and the interest and advantage of Her Majesty's Government and you see that the brethren do expect some answer by you which I leave to your management. But for my own part I have acted in this matter with as sincere a mind and good and upright intentions that I fear no mistake but heartily wish that you may give all good success. *Signed* Ja. Steuart.

[P.S.]—Since the black-box is discharged I find no better course than to direct this letter to Mr. John Montgomerie of Wrae and leave you and him to agree about the postage. *Seal.*

John Campbell, M.P. to [the Earl of Oxford.]

1711, November 5. My long attendance with the necessity of my going immediately home forces me to give this trouble, begging your Lordship may be pleased to determine the favour you said you designed me, and honour me with your commands for Scotland.

The employment I now have is so small, the expense of attendance here so great, that I am not able out of my small fortune to undergo it without ruining my numerous family.

SIR JAMES STEUART to [the EARL of OXFORD.]

1711, November 6. Edinburgh.—This line is presented to your Lordship by Mr. Thomas Blackwell, minister and Professor of Theology at Aberdeen. The gentleman's parts and piety are above my commendation, but because I know him to be most sufficient to give your Lordship a full information of the state of our church affairs not only in Aberdeen but in all the north parts I humbly recommend him to your Lordship's favour being very assured both of his truth, candour and faithfulness which I know will be very satisfying. *Signed* Ja. Steuart.

The SAME to the SAME.

1711, November 6. Edinburgh.—I humbly presume to recommend to your Lordship's favour Sir Andrew Hume son to the Earl of Marchmont, one of the Commissioners of the Equivalent, and John Inglis, clerk to that Commission. They go both to London with the accounts of the Equivalent in obedience to the ordinance of the House of Peers and I hope these accounts shall be found satisfactory and that your Lordship will give them that countenance that their service doth deserve. I would also presume to recommend Mr. Inglis a little more particularly he is my very good friend and hath been at great pains in attending that Commission and yet hath but a very small and uncertain establishment which makes me humbly move that his allowance may be considered and settled in such manner as he may have yearly and certain payments. And I hope your Lordship upon trial may find that he may well deserve it. *Signed.*

[The EARL of MAR] to the [EARL of OXFORD.]

1711, Sunday, November 4. Twickenham.—" I had a letter from my brother yesterday concerning some things in Scotland in which if there be not some orders given soon may be of bad consequence. I send your Lordship my brother's letter enclosed and also a copy of Lord Advocate's letter to Dumbreck, with his answer which I had from another hand. My brother states the case so plainly that I will not trouble your Lordship with saying anything of it, only if there be not very speedily something done to set those matters right, the Episcopal party there will become as discontented and out of humour as they were in the time of the late Ministry. All this persuades me the more that a toleration there, as here, will be the only effectual way to give us peace in that country and the procedure against those episcopal people cannot fail of bringing it on the sooner.

I am sure Mr. Carstairs has had a good design in anything he wrote down concerning your Lordship, but his brethren want his sense to make a right use of the advice he gives them. My brother I believe would wish that Mr. Carstairs may not know of anything of this coming from him, in case of its creating mistakes.

I am very glad to hear that your Lordship is better, I saw some of your friends last night at Hampton Court, Mrs. Masham wishes that your Lordship may not venture coming there so soon as Tuesday, as all your other friends do, for fear of your being the worse. A certain person who came there last night and who I have seen much in his airs at your house looks very sullen and out of humour, which some of your friends observed, but I know not what was in it. I wish I may hear of your Lordship's being perfectly recovered. The Queen was very easy with her gout last night."

The REV. JAMES SANDS to the REV. WILLIAM CARSTARES, one of her Majesty's Chaplains, and Principal of the College of Edinburgh, now at London.

1711, November 10. Edinburgh.—Knowing that the Lord Advocate had sent you an account of the unprecedented procedures of some justices of the peace in Orkney with relation to some others ministers of the Gospel, and me particularly; and that he hath undertaken to prosecute these persecutors criminally; I have commenced a process also before the Lords of Session in order to reduce that unwarrantable decree against me. But considering the forms of process here, and distance between Orkney and Edinburgh I cannot expect to have anything done effectually before the summer session, there being many witnesses to be brought two hundred and fifty miles over many mountains and waters and several most dangerous ferrys, and some of these witnesses through age and otherwise not in case to come this length in winter, scarcely in summer, it will be a great trouble and a vast deal of expenses to that poor country, but there is a necessity for it unless there be a change obtained in the commission for the justices and their clerk. I was necessitated to leave that country, nor dare I return to my sympathising congregation and afflicted family until I get something done for my protection.

JO[HN] PRINGLE to the EARL of OXFORD.

1711, November 15. Edinburgh.—Pursuant to the order of the House of Lords the Commissioners for managing the Equivalent have appointed the bearer Sir Andrew Hume son to the Earl of Marchmont, Sir Patrick Johnston, and myself, to attend their lordships with our accounts and vouchers.

I have had the honour to be often in business with Sir Andrew and know him to be both modest and diligent in his actings and he is resolved to make no step in that affair but by your advice and approbation. *Holograph.*

SIR JAMES STEUART to [the EARL of OXFORD.]

1711, November 27. Edinburgh.—You have here enclosed [*not here*] a full copy of the criminal libel I was ordered to raise against Mr. James Dundas younger of Arnistoun both for the medal and his seditious pamphlet. Your Lordship may peruse it at your own leisure and if anything further shall be directed in the prosecution I will expect your Lordship's answer. I am at a loss by the death of the Provost of Edinburgh a most material witness but I hope the evidence shall still be sufficient.

My Lord I must also represent that by the discharge of our black-box or the Secretary's paquet I am obliged to pay for my letters which were always free both coming and going. Pray my Lord let this privilege be restored to her Majesty's advocate. *Signed.*

[The Rev. W. Carstares to the Earl of Oxford.]

1711, November 29.—I humbly beg leave to put your Lordship in mind of the proclamation for the Fast in Scotland which the Commission of the Church of Scotland hath humbly applied to her Majesty for, and I the rather presume to do this because the Commission is to meet again in February, and copies of the proclamation when it is sent down to Scotland cannot well be dispersed through the country at this season of the year in less time than six weeks. If therefore it could be appointed to be about the 20th or 27th of January it is the utmost time to which it can be delayed, if the humble desire of the Commission shall be granted as I persuade myself it will through your Lordship's kind care.

I also presume humbly to beg your Lordship to consider the heads of the representations sent up by my Lord Advocate at the desire of the Commission. There is now here a minister justly esteemed in our country who is professor of divinity at Aberdeen, who hath a particular knowledge of the affairs of the northern parts of Scotland, and hath always had a concern for the quiet of her Majesty's government. His name is known to your Lordship he having done himself the honour once to write to your Lordship of an affair of one Mr. Burnet, that was once minister of Aberdeen, an affair of that importance not only as to Aberdeen but our church in general, that it together with some other things of moment with respect to the public quiet about which he did not incline to make any noise in any church judicature in Scotland, which made him think it was the most proper way to come hither as a private person without any commission which he might have had upon the least insinuation of a desire to have it. His great design was to lay before your Lordship with all freedom and yet with all submission the true state of affairs especially in the northern parts of Scotland.

The name of the minister of whom I write is Mr. Blackwell.

[Sir James Erskine], Lord Justice Clerk, to his brother [the Earl of Mar.]

1711, November 29. Edinburgh.—All I can trouble you with at present is that the Earl of Home is at length persuaded to go up for London, and takes journey on Saturday next. How he has got credit I do not yet know, but he has borrowed 100*l.* sterling for his journey. You know the narrowness of his circumstances, and it will be extremely hard if the ruin of his family be hastened by his serving the Queen. Thus it will be if he is not speedily taken care of. He has a great inclination as I think, to be much in your interest, and I doubt not but you will improve it, which I suppose cannot be more effectually done than by your getting something for him ; and so it will be a good office to you both.

Annandale begins to relent and I fancy will accept still, but I am told he wrote last post to my Lord Treasurer ; perhaps he would be cautious in the midst of his wrath, when writing to the Treasurer. [*Remainder missing.*]

SIR JAMES STEUART, Lord Advocate, to [the REV. W. CARSTARES.]

1711, December 13. Edinburgh.—I have yours of the 6th instant and by my last to you you will understand that since the first of this month I have been afflicted more than ordinary with very uneasy pains which albeit much abated do still hang about me. However I intended to go on with the prosecution of young Arnistoun for whose trial Monday next is appointed but I am a little surprised and straitened on the accounts following for first I find that people here are very intent to know what shall be the issue of this trial and therefore it put me on the thoughts that since I am not at present in condition to go abroad and attend the trial myself I should at least join assistants to the two solicitors and not leave the cause wholly upon them. And for that end I bespoke Advocates to assist and thought that I had engaged them. But I found that both such as I had engaged came and excused and others whom I offered to engage did also refuse so that in short neither I nor the solicitors could obtain any to assist us. Whereof the true cause is besides an ill humour that prevails that they seem unwilling to meddle in a matter wherein my Lord Arnistoun a Lord of the Session and his son their comrade are concerned. Not that my Lord Arnistoun would mistake any of them for I am sure he would not or that the son is much to be regarded but men incline much to shift in such things and on the other hand for me to betake me to the common remedy of complaining and craving a warrant to make men appear would give too great an advantage to adversaries against so just a cause. And therefore I am of necessity brought to resolve with myself that if God give me more strength I will appear and prosecute the trial. But then I must both to allay a little people's foolish expectation of the trial and that I may be in better condition to prosecute it continue and delay the trial for a while which I intend to do till the last of this month for in this I am serious as I know you will believe that I cannot think of leaving this cause that men look so much after upon the two solicitors alone, for this might be thought either a great neglect of Her Majesty's service or too great a presumption. And therefore as I have told you I am resolved through God's strength to be present but must for that end delay the affair until the last of this month and in the meantime I thought it might be to good purpose to acquaint you with this my strait that you may let my Lord Treasurer know it. And withal I must confess that I am solicitous in this affair because of the strange humours that are stirring and the extraordinary liberty men take in talking and above all with what may be the consequence of never so small a miscarriage in a matter which upon the whole is fitter to be despised than regarded. And if I might tell you my own secret thoughts I would think it sufficient for the honour and interest of the Government to have raised the process and keep it depending rather. than to occasion more noise or hazard a greater inconvenience in pressing a trial for as I see our Advocates are disposed I have but too much reason to fear that even their evidence will fail me. And I know young Arnistoun thinks himself well delivered by Provost Brown's death who was indeed my best witness and I am also at a loss that Carnworth whom I know to be a material witness is there attending the Parliament and though I have cited several others that I know can give evidence yet I have too much reason to doubt all things and therefore I do again with submission allow you to lay this my perplexity before my Lord Treasurer for if the interest of the Government could allow it I would of myself incline to keep the Cause depending. But if his Lordship be of opinion that it is better to bring it to a trial without delay I shall be most ready so soon as God gives me strength. In this matter I will expect your answer as soon as possible for I have not yet made known my purpose save to you only. We have seen your Hanover memorial more plain than I believe was expected. The Queen's speech to the Parliament is indeed very fair and honest but the Peers there burdening their Address of Thanks, with Spain and the Indies is a hard chapter, I pray God to direct all well. I will not trouble you further at this time with our Church matters for I believe the fast is accorded and do not doubt but that rabblings and riots may be discountenanced and as for Dumbreck and the like we must have patience. In the meantime I must still wish for a Review of the Justices of Peace and young Arnistoun's best friends pray that he may be struck out of that Commission for he hath abused that office. Sir I again beg your sympathy and as sudden and distinct a return as you can make me for I am truly in a strait having much more upon my thoughts than I can express. I have seen the Marquess of Annandale but as I told you he is angry and cannot bear the disappointment at least a little time must allay it. Pray let me know how Mrs. Carstairs and you are and when you think of coming back. *Signed.*

The Earl of Mar to [the Earl of Oxford.]

[1711.] Your Lordship said that you think we should meet once a week upon the affairs of Scotland. I think your Lordship very much in the right; and I hope you'll appoint it so, which I am sure may be of use.

I have D. Athole's papers here which I hope you will hear to-night. It is time he were gone.

The Earl of Oxford's comments on the above:—

They are only matters of form.

Will Athole consent to have the same Bill brought in as Stanhop did about the Clans? Name when you will and where for the first meeting.

[The Earl of Mar's] answer:

I believe neither Duke Athole nor any other concerned will like of any Bill for altering anything concerning the Highland Clans. If your Lordship will do me the honour to eat a bit with me on Wednesday and talk of Scots' affairs, the company shall be whom your Lordship pleases.

Notes on the same sheet in the handwriting of the Earls.

The Same to the Same.

[1711 ?]. Whitehall, Wednesday. I have been very unlucky to miss you both at your own house and here. I have been indisposed this while past else I had been oftener to call for you since you came to town. I am now some better and long to see you any evening you appoint after this, either at your own house or where else you think most convenient. I had a letter the other day from Lord Dupplin who was come to Edinburgh to bury a cousin of his. All friends at Dupplin House are well and as I expected fond of one another which I hope will always increase and continue. I will trouble you no more but shall be glad to hear from you.

The Same to the Same.

Wednesday, 3 o'clock.—I am so much concerned in that affair of the peerage of which I spoke to you to-day and think it so much for the interest of my family that I hope you will forgive my giving you this second trouble about it. The promise the Queen gave me that I should be made at the same time with any she made after the Duke of Queensberry was three days after I came from Scotland from the Union Parliament before the Union commenced.

Memorandum of Sir Scipio Hill to the Earl of Mar.

Was paid a pension of nine shillings and six pence *per diem* until the day of the Union of the two Kingdoms, not only for services of great consequences he was employed in by his late Majesty but for the re-imbursement of the money he laid out in prosecution of them, as appears by King William's letter to the Treasury of Scotland. He therefore craves the same may be continued at least until he be provided with a post suitable to his rank in the army, and his early and long service. He also desires in that case the arrears of that pension be not paid up that the Government will be pleased to make that a reason at least for his being very soon so established, as he may have occasion to show his zeal and fidelity to serve her Majesty.

(? 1711)

——— ——— to [the Earl of Mar ?]

[1711]. As for news, the Lairds of Glengarie and the Captain of Clan Ronald who, with all their men, are popish, the Laird of McKinin, McPherson of Cluny, Stewart of Appin, McDonald of Kappoch and Cameron of Lochyel, have all of them received money on what account it is not known, further than that they stand obliged to serve the government with a certain quota of men each when required, but how or on what design is what occasions a great many speculations. It is not certain whether the allowance they have, was in a piece of money or by a yearly pension, but depend on it they have the one or the other. The Duke of Athol, Earl of Breadalbin and Lord Drummond are very dissatisfied with these clans, some of them especially Appin not having men of his own to furnish the complement he is engaged for unless he make use of some belonging to those aforesaid noblemen. They have frequent meetings and to my certain knowledge Appin who managed that affair at London and here also was refused access to the Earl of Breadalbin. They are modelling their men and my *causa scientie* had almost proved fatal, for last week for refusing to drink K. J. the Eighth's health I was almost murdered by some of Appin's new levied men and providentially escaped there being at least twenty seven swords and dirks drawn upon me. People are astonished that such men, many of them being papists and all of them disaffected, should be either encouraged or employed.

[The Rev. W. Carstares to the Earl of Oxford.]

[1711].—I shall not presume to trouble your Lordship with any more words about that unhappy bill which I judge hath been not a little vexatious to your Lordship. It now lies before the throne, and it would be an unspeakable comfort to many, and I hope it would at least not be prejudicial to her Majesty's interest, if it should meet with a stop there; but this I have not confidence to speak of to your Lordship, and therefore take the liberty to write it.

I intend, God willing, to be going for Scotland so soon as the bill is passed, if it shall be so, which makes me take the liberty of humbly laying before your Lordship a few things that I have presumed to mention to you, and to which you were so kind as to give no discouragements.

One is that your Lordship would have the goodness to obtain from her Majesty that in her bounty she would give what should be thought fit for the encouragement of the propagation of Christian Knowledge in the Highlands and Islands of Scotland.

Another is that your Lordship would be pleased to procure some few alterations of the justices of peace in the Islands of Orkney, which it is humbly conceived may be done without fear of great clamour, while the justices that are desired to be removed are men either of no interest or estate at all in the country, or are very inconsiderable as to either.

A third is that your Lordship, if you should think it fit, would have the goodness to procure a Lieut.-Colonel's Act for Major James Coult of the Castle of Edinburgh; the grounds upon which it is begged are laid before your Lordship.

I have seen more than once my Lord of Haddow, who though he owneth himself to be episcopal in his judgment, yet is as regular in countenancing the established church as most else, and appears to be much concerned for the quiet of his country. He appears to be a man of good sense, and hath applied himself much to the study of law, and I do believe that nothing would be more pleasing than to have the honour of being an extraordinary Lord of our Session, but he intends not to move in it if your Lordship shall not think fit he should.

Petition of James Home, brother to the Earl of Home, Sir Robert Home, John Renton and Patrick Home Esquires, for themselves the Heritors of the Parish of Aytoun, to the Earl of Oxford.

Sheweth,

That whereas the Church of Aytoun in North Britain hath been vacant for these three years past (viz.) 1708, 1709 and 1710 years, and that the said Church and Parsonage thereof are altogether become ruinous and that the Stipend payable to the Minister being very inconsiderable, it must Necessarily require a much greater expense, to Rebuild and Repair that Church and Parsonage than the said three years Stipend will Amount to, as will appear to your Lordship by a Testificate herewith produced, Signed by the Justices of the Peace of the East district of the Shire of Berwick, And that your Petitioners are willing to advance any such Additional Charge as may be Necessary for Rebuilding and Repairing the said Church and Parsonage, and that by the Law and Custom of North Britain all Parsonages are to be kept in repair out of the Vacant Stipends, which have ever been employed for pious uses within the Parishes.

Your Petitioners therefore most humbly Pray that your Lordship will be pleased to give Commission to Mr. George Whitson, Factor to the Estate of Aytoun (or to any other person your Lordship shall be pleased to appoint), to uplift and receive the said Vacant Stipend for the three years abovementioned, and to apply the same for rebuilding and repairing the said Church and Parsonage at the Sight of the Justices of the Peace above named. [1711.]

LORD FAULKLAND to [the EARL of OXFORD.]

[1711.] Thursday morning, 10 o'clock.—When the late Lord Crawford died modesty would not permit me to ask for his troop, believing some general officer whose long and good service might justly claim it, beyond my pretensions, would obtain it; but when I find the Lord Marshall [Keith] is to have it, believe me, all patience quits me. What, my Lord, have I served the Queen eleven years, and I hope without any blemish on my character, to have a young man raw in the service preferred before me? If it is given him to support an ancient family, I can boast of as great and ancient ancestors; if for necessity, who has more occasion for it than myself, who am reduced to want by my family's endeavouring to support her Majesty's grandfather on his throne? And what I have more to recommend me than that young Lord in my service so long.

I have in the measures taken for Scotland ever followed the Queen's and your Lordship's directions, and I hope your Lordship does not believe I ever intended to sit down contented with what I have, when I consider I have such pretensions to her Majesty's and your favour.

I am so vain as to believe it would be no diminution to the character your Lordship has so justly acquired to have it handed to posterity that the Earl of Oxford, the Lord Treasurer, was the re-making the Faulkland family.

Pardon me, my Lord! The slight that is now put on me by this occasion sensibly affects me and had I any way of supporting my indigent family I would not keep my commission one hour.

P.S.—I should have thought myself rewarded in my Lord's place to have had a company in the Guards which I served nine years for before I could obtain it.

CAPTAIN JOHN OGILVIE to the EARL of OXFORD.

[1711.]—I made a mistake last night when I told your Lordship that it was 216 men was allowed by the Parliament to make up the three Highland Companies. It's 232 men, which makes up three companies at 60 men a company and the 32 men makes the sergeants, corporals, and the drums, which was the complement of them before. I hope that you will discourse this matter with the Earl of Mar this day and prevent anything that may be done as to the diminishing of the soldiers' pay for it will make a . . outcry and the odium of it will fall upon your Lordship whether that you have a hand in it or not; for, if it be done, the design of the Highland Companies is broke and instead of being useful they will be aggrieved and most oppress the country. You may be sure that I have no interest in any of the captains that commands them only I cannot endure to see them importune your Lordship for a thing that will make a outcry against you. For the captains are both the worst men that are in the Queen's dominions. *Seal.*

[The Rev. W. Carstares to the Earl of Oxford.]

[1711.]—It cannot, my Lord, but be afflicting to one who is sensible as I am of your great concern for the true interest of your country both as to its religious and civil interest should be at any time and especially at such a juncture as this be hindered by indisposition of body from attending upon your important affairs.

I humbly beg that I may have that letter from my Lord Dartmouth that your Lordship was speaking of, for I would send it to him who is to be Moderator of the Commission in my absence by the Tuesday's post, that it may be there before the meeting of the Commission, and I find greater reason for it than I had when I had the honour to see your Lordship, for I have had letters both from my Lord Advocate and others concerning grievances that our ministers in some places do much complain of, and which are to be laid before the Commission of our Church when it meets, which I shall lay before your Lordship when your health and affairs can allow it.

I presume to lay again the enclosed memorial before your Lordship, in favour of a man of true worth and entire fidelity to her Majesty, and I may say too, universally esteemed by those that know him for his integrity. He hath married my sister, and it would be a great satisfaction to me if through your Lordship's goodness I could obtain the favour for him which he desires. I have also a favour to beg for a nephew of mine that is professor of Greek in the University of Glasgow, which I shall take the liberty to lay before your Lordship by Baron Scrope, who knows the circumstances of the affair, and I shall be sorry upon a public account if he be gone.

Colin Campbell to [the Earl of Oxford ?]

[1711 ?].—My Lord. I have waited your orders these two months and having nothing positive hitherto to write to my Lord Breadalbane I have orders from him now to repair to him immediately with your Lordship's commands since the time of the election draws so near that all my diligence is necessary that he may come from the country to Edinburgh again the day, since he waits my return to observe your orders. As I writ to your Lordship that in the scheme to be laid before you there is a proposal of easing the Government of the charge of the independent companies, I beg you will allow me, to wait on you and lay my Lord Breadalbane's proposals immediately before you since there is so little time left to have your Lordship's orders signified to him by my returning to him. *Holograph.*

Memorial to the QUEEN.

The EARL of NORTHESK. There being 1000*l.* yet due for his attendance here in her service preceding the time when he was named one in the Commission of Trade for Scotland, it is intreated that she may order immediate payment of it as also of 256*l.* half a year's salary as a Lord of Treasury in Scotland at the commencement of the Union. This most of the Lords received payment of at that time, some have lately, so it is hoped he wont be classed in a different way from those he served with.

It is also represented that if Her Majesty shall not think fit to continue that Commission of Trade she will take under her royal consideration in what way the bygone salaries of it in the meantime may be paid how soon the circumstances of her affairs allow. [1711 ?]

Sir JOHN MACLEANE to [the EARL of OXFORD.]

[1711 ?] The enclosed Memorial [*not here*] I send by your Lordship's Order, signified to me by Captain Ogilvie, as I rely entirely on your protection for the preservation of a sinking family almost ruined for the Crown. I humbly presume to assure your Lordship of all the return justly to be expected from honour and gratitude. It shall be the business of my life to watch all opportunities of shewing the deep sense I have of the general patronage I meet with. Macleane. *Undated.*

Captain JOHN OGILVIE to THE SAME.

[1711 ?]—I am sensible that this is not a place to trouble your Lordship at but notwithstanding poor Lord Home begged of me that I would but go there and but be in your eye in the chapel and when your Lordship saw me it might mind you of him, for if he get not down immediately, he is ruined, for ever. I find that your Lordship will come " braulie ' off with my Lord Seafort for you have but [to] give him the pension of his clan for a year or what your Lordship pleases and tell him that you will take care of him when the peace is made and he will go contented but the affairs of the justices of the peace he must have with him. There is also a gentleman who is the manager of my Lord's Home's affairs, his name is Mr. Windrom of Haymouth. He is a near relation my Lord Duplin's. He would have him despatched to go with him for what his business is your Lordship will see by this line that he sent me last night. *Undated. Seal.*

[The Rev. W. Carstares to Robert Harley.]

[1711.]—I find by what you represent to me that you seem to be much concerned that in the late proclamation for a Fast in Scotland, no notice was taken of the application made to her Majesty for that end by the commission of the late General Assembly ;' and that which appears to make this the more perplexing to you is the apprehension you have that some may take occasion to suggest that her Majesty inclines to discountenance and discourage such applications from the Church, which when made have been always mentioned in proclamations for Fasts and Thanksgivings. But as I hope none will be so unjust and undutiful as to raise such surmises, especially after what I did not long ago by her Majesty's order signify in a letter to you concerning her Majesty's gracious intentions as to this matter, which no doubt you did take care to communicate to the Commission, so that you and others may be easy on this head. I can assure you that the not mentioning the application of the reverend commission was from no particular design, but merely from the multitude of weighty affairs in which her Majesty's servants were then concerned which occasioned their not considering so particularly the circumstances of that affair as otherwise they would have done ; and this you may signify to others for their satisfaction as you should find it expedient. *Unsigned and undated.*

——— ——— to [Earl Mar ?]

1712, January 4. Glasgow.—I take the opportunity of your letter to Mr. Stewart, which I reckon to have been intended for the Loyal Clans in general, to acknowledge particularly the most acceptable honour of the Queen's good intention and confidence for us and my just sense of the obligation I come in with the rest to your Lordship by so prudent and promising steps of Administration ; and at the same time to tell you upon honour I never gave Mr. Stewart of Appin any commission touching anything now promised to the clans yet I think there cannot a more favourable opportunity offer whereby they (and I as one of them] should express our duty to Her Majesty and zeal for the Royal Family and Monarchy in general than in the way and manner proposed ; and, as I have never given reason to doubt my inclinations that way and that (I bless God) I could dispense with the allowance given, so I cannot fail to value the occasion of addressing myself with ingenuity and respect to your Lordship more than the pension unless it were given as a mark of Her Majesty's favour. The omitting some clans and listing others with a regard unequal to their condition for the service may be for reasons less obvious to me, which I therefore adventure only to touch and, if my coming first to subscribe the letter to be signed by us or delaying the precedent to the other neighbours be taken as an earnest of faith and firmness to what I undertake, I hope your Lordship will do me justice with the Queen.

——— ——— to ——— ———

1712, January 5. Sir, It is so long since I had the favour of a letter that I begin to fear you forget your old friends. You will urge that the throng of affairs hinders you. I am very sorry to see that what is so necessary to all Europe in general, so advantageous to Britain in particular, should meet with so much opposition but I hope you will gain your point in spite of all the popular clamour of such patriots as would rather ruin than not rule the state, or the very wise memorials of your old friends. Can anybody without regret and indignation read what B. hath given in. To see a prince whose honour and interest it is to approve of such measures as Her Majesty thinks the most fitting to procure to the Island the blessings that so long and onerous a war hath deprived us of let himself be led by the nose by a French tool of a party, for I doubt not but R. drew that worthy piece. I would fain know of him if he thinks the 7 preliminaries in question more prejudicial to the liberties of Europe than partition treaty was in the '97, which he so eagerly defended and printed himself a fool for. And now since I have begun to speak truths that may not please, if known, I must even go on and tell you that any prince who hath expectation of giving one day a king to G[reat] B[ritain] should be the last to fail in what is owing to the royal majesty. *Il seroit necessair* is, methinks, term only to be used towards a pupil under age; and for those to bellow against peace who refused to be joint security with Her Majesty for money raised to maintain the war on that side where they were particularly engaged is somewhat very odd and so is the fling at our South Sea Company. How do they pretend to judge of any project of trade? It is like the mole in the fable descanting on the beauty of the mulberry bush. Do they think because they have not skill enough to profit of the advantageous situation of their port upon the Elbe, nor yet of the easy access they may have to Bremen by water that, therefore, our projects shall misgive? Things are strangely changed if the inhabiters of Westphalia see further than the English in any thing that hath a relation to commerce. Besides the bringing it in so by head and shoulders is no great proof of either wit nor good nature. I doubt not but the design is well concerted and did not the S. enemies think so they would not take so much pains to decry it. I hope once more Darien shall be possessed and though in the Scottish hands the project was condemned because an undertaking too great for a nation impoverished, divided, and watching all opportunity to sell each other to the highest bidder, yet the scheme was rational and will, I hope, prosper in the English hand whether they re-possess Darien or settle elsewhere. However, if they once more settle upon that Isthmus, I hope they will never own the Spaniards prior right. If they do, my father to no purpose did draw up 42 memorials. Please write me some news. A little time will let us know what we have to hope or fear. If the war begins again, I hope the Elector will lend us money. Since His Highness is so averse to peace, it is the only way to convince the world that he only considers the public interest to lend us a million. The Ger. Pr[inces] have so long made a trade of war that their declaring against peace is . . a caution.

I wish you a great many good new years and so doth Mr. S.

Sir ALEXANDER CUMYNG to the EARL of OXFORD.

1711-12, January 5.—I have had the misfortune to suffer and by a judgment of the House of Lords to lose the offices of Conservator of the Scots' Privileges and Resident in the United Provinces which Her Majesty several years ago conferred on me for life and this misfortune is still the greater that I had been obliged to lay out several years ago some thousands of pounds in maintaining the Queen's right and the validity of her grant, by her particular order, after her Advocate and Solicitor and 20 more of the most eminent lawyers of the Nation had signed and transmitted their opinions to her concerning the legality thereof, which was so found and decreed by her judges in Scotland. But the judgment, though in effect against the Queen (who was no party in this appeal) being a matter so delicate, my friends advise me rather to acquiesce therein and to depend upon your Lordship's favour than seek any explanation or redress otherways. Your Lordship will no doubt at this juncture have under your consideration the several employments that are in the Queen's grant and in whose hands they now are. I shall not presume to carve out anything in particular for myself further than to put you in mind that as my education was abroad so my study and profession for several years at home was the law and the commission I had lately the honour to bear was chiefly versant in matters of Trade. My own little fortune in Scotland and what I have by my wife here makes it indifferent to me where I am employed. I hope my interest will always give me the opportunity of serving in Parliament and though I never had the least advantage by Her Majesty's former grant but have spent very considerably of my own money in the public service yet, if I have the happiness of your Lordship's good countenance, it will be a sufficient recompence for all. Whatever you vouchsafe to confer on me shall be generously employed in your service ; and, if thereby I am enabled to render my service more acceptable, I shall be infinitely proud and pleased as I am in being etc.,

Oxford's docket. Received January 6, 1711-12.

Sir JAMES STEUART to [the Revd. W. CARSTARES.]

1712, January 22. Edinburgh.—Sir, I have yours of the 12th but having been seized with severe rheumatic pains that obliged me to keep my bed from Tuesday to the Sabbath thereafter, I could not sooner give you a return nor have I any new thing that occurs save that I continued the process against Arnistoun younger until yesterday. Then finding myself so much disabled that I could not attend the court and the solicitors resolved that they would not insist without me I was obliged to crave a farther continuation and because Sir David Dalrymple a most necessary witness was pleased to go for London upon the 17th instant I craved the continuation till the third Monday of February. You know my mind and purpose in this but young Arnistoun is so foolish as to understand it quite another way and hath charged me upon our Act of Parliament 1701 to fix a day for his trial, which is done : but on the whole matter I judge it more the concern of the government to keep this matter in suspense than to bring it to a final trial. Yet I shun by all means to give the foolish youth any matter of insulting. If Sir David Dalrymple and George Lockhart of Carnwath, the two necessary witnesses, could be ordered back to give their evidence on the third Monday of February, or, if this cannot be done, I can bring the trial at that day and get the relevancy of the libel discussed and then continue the process for adducing the evidence, if it were until June. But on this I do expect more particular direction, for I only propose with submission. In the meantime it would not be amiss that young Arnistoun were struck out of the commission of the peace, for this his best friends desire for his mortification. I must expect from you to get me particular directions for I must tell you that the issue of this trial, though according to my desire, promises no advantage to the government. My wife and I remember you and Mrs. Carstairs with all tenderness. *Signed.*

The Rev. W. CARSTARES to the EARL of OXFORD.

[1711-12,] January 31.—The Commission of the Church in Scotland being to meet upon Wednesday next, and the omission of mentioning in the proclamation for the late Fast their application for it and some of the reasons for which they judged it seasonable making some noise there, as if her Majesty resolved to discountenance all such applications from the Church, a few lines from the Earl of Dartmouth to me of such a strain as I presumed to lay before your Lordship some time ago would I hope give some satisfaction and might be of use at this juncture. My unwillingness to importune your Lordship hath made me delay to put you in mind of this letter till I am afraid it is too late, for if I shall not be honoured with it this night it will not answer the design of it.

I take the boldness to lay again before your Lordship a draught of the letter which I humbly have designed. *Unsigned.*

The SAME to the SAME.

[1712]. Having heard of his lordship's recovery in some good measure, presumes to lay before him the representation of the Lord Advocate mentioned in a former note. Begs that the Fast desired by the Commission of their Church may have a favourable return.

Begs pardon if he only mentions the affair of his brother in law Major Coult. Has waited upon the Lord Privy Seal about the Fast and left with him copies of former proclamations about days of prayer. Hopes to see his lordship when his health permits. *Unsigned and undated.*

Enclosure.—Having had the satisfaction to hear of your Lordship's recovery in some good measure, I presume to lay before you that representation from my Lord Advocate that I took the liberty to mention to you in a former note. I beg that the Fast desired by the Commission of our Church may have a favourable return.

Pardon me if I only mention the affair of my brother in law, Major Coult.

I have waited upon my Lord Privy Seal about the Fast and left with him copies of former proclamations about days of prayer, which no doubt he will discourse of to your Lordship.

I did judge it was proper you should see my Lord Advocate's letter to me which was a cover to your Lordship and I have presumed to send it open.

LORD JOHNSTONE to [the EARL of OXFORD.]

1711-12, February 1.—Had earnestly begged long ago of some of his friends known to his Lordship to lay his case before him, but they had never yet found a proper opportunity. Had been induced under threats from his father [the Marquis of Annandale] to surrender the family estate entailed upon himself. Having at first by the advice of his friends and the lawyers refused to consent to this, he had lived in Scotland for almost a year without receiving any assistance from his father or being allowed to come into his house; but after many attempts to mollify the Marquis, found no other way to make peace with him than to make an unconditional and absolute surrender of the whole estate.

Thus brought up to no business and deprived of his estate, he is left to shift for himself. He desires his Lordship to help him in obtaining from her Majesty such employment as is worthy of her to bestow, and he can with any decency accept.

Another letter of the same of later date pressing to be informed what resolutions are taken in his concerns. *Undated.*

The Revd. W. MITCHELL, to the EARL of OXFORD. moderator of the General Assembly,

1712, Feb. 7. Edinburgh.—The Commission of the General Assembly of the Church of Scotland having, unanimously agreed to address Her Majesty concerning a bill in dependence before the Parliament for a toleration to those of the Episcopal Communion in Scotland did appoint me to transmit a copy thereof to your Lordship and most earnestly beg your Lordship to use your good offices to obtain a gracious answer to the said address.

Sir JAMES STEUART to the MARQUIS of ANNANDALE.

You have here enclosed a memorial of the affair betwixt the presbytery of Dingwall and Sir John Mekenzie of Coul. The business was brought before the General Assembly and you may remember what was there ordered about it and that your Lordship was pleased to assure the Assembly that, if Sir John did not satisfy the presbytery, and there should be necessity to acquaint her Majesty with what had happened, you would assist the representation. When the Assembly was over the Presbytery were desirous to have criminal letters against Sir John and the accessories to these great abuses but Mr. Colin, Sir John's brother, interposed and undertook fairly for his brother who was thereupon wrote to : but it does not appear that Sir John is satisfied with Mr. Colin's undertaking and Mr. Colin is gone to London and the returns that I have seen from Sir John are very general and promise no remedy. Therefore the presbytery are still pressing to have out criminal letters. But my fear is that the proofs may fail. This memorial should be transmitted to her Majesty for the substance is notorious and I cannot but think that the Government will one way or other, shew their resentment which if it happen there will be less hazard of the miscarrying of the process. It were certainly to be desired that there were such a set of justices of the peace at least in that corner of the county as might for the future restrain such disorders. I humbly crave pardon for this trouble not doubting your lordship's concern and care of this affair. *Signed.*

Endorsed by Oxford. Received from Lord Anandale Feb. 11, 1711-12.

The Act of Toleration.

1711-12, February 19. Edinburgh.—Anonymous letter to the Earl of Oxford from " a sincere wellwisher to Her Majesty and his Lordship's administration." The writer acquaints Oxford that the passing into an Act of the bill in favour of the Episcopal clergy in Scotland will altogether tend to the disquiet of this part of Britain, it being looked upon here by the other party (who is by far supernumerary) as a very great breach and disregard to a fundamental of the Union.

Oxford's docket. Without name. Received February 25, about the Toleration.

Fisheries and West Indies.

1711-12, March 10. Edinburgh.—It is with a great deal of pleasure that (in obedience to your commands of the 1st instant) I here send you the substance of some of those thoughts on our Fisheries (which I formerly communicated to you) for I still am of opinion that the Fisheries and West Indies are the two springs from whence the riches and strength of Britain are most naturally to be fetched.

That this nation is capable of receiving vast advantages by the Fisheries is so generally owned (and has been so often demonstrated) it will not be necessary to spend time in repeating what has been said by Sir Walter Rauley, Sir John Burrows, Sir Roger Lestrange, Mr. Smith and others. Nobody that has been at pains to inform himself can deny that they are of greater value and more certainly than the Spanish trade itself. Mr. Keymore who in Anno 1601 tells us that by direction of some of the then Ministers he spent several years abroad in making inquiry into the advantages that Holland and other Foreign countries then reaped by their Fisheries on the British Seas; affirms that it amounted to more in one year than all the riches that the King of Spain received from the Indies did in four and that twenty thousand vessels and four hundred thousand people were then constantly employed and maintained thereby. Others that have made estimates of the annual income of the Dutch fisheries have valued it at ten millions sterling and it is very probable that the Herring, Cod, and Whales that they yearly catch are not sold for less. It appears by the Statute Book and Acta Publica, that Her Majesty's two wise and magnanimous ancestors—Edward 1st and Edward the 3rd were so sensible of the advantage that might accrue by the Fisheries (even before they were in any measure tried) that they had nothing more in their thoughts than the union and improvement of the Fisheries. Her Majesty has happily accomplished the one and I hope will the other for the first was a necessary preparation for the second. The best Fisheries being in the northern parts of this Isle, they could not have been carried on equally and effectually by all before different national interests were united: separate jurisdictions, legislatures and judges would never have agreed in power, laws and judgements, where interests jarred and property came to be contested.

It being then universally owned that there is fish enough to be got on our Coast, and that great strength and riches are got by foreigners out of our Fisheries, I shall not further insist on that but proceed to show—

That if our conduct and application be equal to that of the Dutch in our Seas or of the French on the Banks of Newfoundland, we may make fish sooner (in the year) and ten per cent. cheaper than they can and consequently may undersell them five per cent. and yet have more profit than they.

I begin with the herring and cod fishing, in respect of which all other Fisheries are inconsiderable for ten ships were employed in them to one that is employed in any other fishery. The Dutch catch all their herring on our Coasts and the far greater part of their cod very nigh our Coasts. For the herrings they fit out Busses from forty to seventy tons burthen navigated with from fourteen to twenty men and boys; the purchase of each Buss provided with all necessaries etc. for a year's fishing is at an average from seven to eight hundred pounds sterling: of these Busses they annually fit out from three hundred to eight hundred. Each Buss commonly (out and home from Holland to the fishing) makes three voyages in a year. Forty last each voyage is a modest estimate and 15*l.* per last is the lowest price. Thus the herrings they sell at the lowest amounts yearly from 540,000 to 1,440,000 pound sterling.

An estimate of the Dutch codfishing cannot so easily be made the fishing places from their own doors all over the sea to our Coast and to Iceland are many and uncertain the kinds of vessels show cost and voyages are various, but generally it is thought they have four times the number of Doggers and other vessels employed in the codfishing that are employed in the herring fishing.

What immense wealth and naval strength must this bring in, what a vast number of men and ships are employed in bringing home and preparing materials, in carrying abroad the fishes, and bringing back the returns, and all this without the expense of one penny to the Commonwealth, for the fish exported overpays the purchase of the materials, that are imported, and though the profit of the fisher or merchant that trades in fish be small yet the advantage of the State is great.

Now that we have ten per cent. the advantage of the Dutch in these fisheries and consequently may have them all to ourselves is evident.

1. Because several of our best ports lie within seven or eight leagues' sail of the best fishing places to which we can from some one or other of our ports in all practicable weather go in the space of two or three hours. Whereas the Dutch are one

hundred and twenty or one hundred and thirty leagues off and require different wind to bring them to the fishing places.

2. Our seas are never frozen and our harbours are many more, and more accessable and are so well disposed with regard to the fishing places that blow the wind how it will we may from the fishing places return to one of them with full sail; whereas the Dutch Busses are sometimes frozen up or wind bound a fourth part of the year. Their vessels must be large and victualled, etc., for a long voyage.

3. Our vessels need not be half so big nor have much above half the number of men and the third part of the provision on board.

4. We may make three voyages to and from the fishing places for their one. We need never beat at sea waiting for fair weather and fish as the Dutch must. We may in bad weather return home and be employed otherways and when the season encourages return in two or three hours whereas the Dutch and also the Bankers are forced to be at sea weeks together waiting an opportunity to fish.

5. Our fishing vessels need never be laid up there is a constant succession of one sort of fish or other to be catched on our Coast whereas the greatest part of the Dutch and all the Bankers are laid up one half of the year.

6. The ships that get first to a Foreign market with their fish frequently double and treble their stocks while they that follow a month after do not clear their first cost; now it is undeniable that we may always be at a Foreign market three weeks or a month sooner than the Dutch who cannot begin their fishing so soon as we and who must go home with their fish and repack and reship them before they export them.

7. Holland produces few or none of the materials. England and Scotland produce almost all that are necessary for carrying on the Fisheries. We are not to fetch our malt for beer, our corn for biscuit, our beef, flour, butter, cheese, clothing, fire, and almost every other necesary, from Foreign parts, we have them within ourselves, and even as to those few things which we (also) must bring from Foreign parts viz.: hemp and some wood, we are still nearer Russia and Norway than the Dutch. Many other reasons might be given but I shall conclude with this, that,

8. In fact at this day our poor fishermen in Scotland, although they labour under many defects, yet they can catch and sell the largest and best fresh cod from 1d. to 2d. apiece and the wine hogsheadful of herrings for 16d. which is cheaper than either the French or Dutch can catch them.

Besides these general advantages which we have of the Dutch in our seas and the French on the Bank we have two very considerable branches of the Fisheries that neither the one or other can contend with us in, and that is dried cod and ling and smoked herring, none of these can be made except where the fish can be landed before they are salted which can only be done by us (and as to cod by the people that inhabit the Island of Newfoundland). Now the profit got on dried cod and red herring is double what is got on wet cod and white herring.

What has been said will I hope be sufficient to show that if our application be equal our advantage will be ten per cent. more than either that of the Dutch or French especially if the Dutch fish out of sight of our shores as I am told by Treaties they are obliged.

To confirm all this I am well informed that notwithstanding the many defects our present fishings labour under, they that follow it commonly clear upwards of fifteen per cent. (without hazard in fishing or exportation) and that the Dutch with all the advantages they have seldom clear seven per cent., I might also show that in the whale fishing which is next greatest branch of that trade we have many of the same advantages and might outdo the Dutch. It is true they are in possession and have all materials and conveniences which we are still to provide, therefore money must be laid out to build ships and houses and to provide materials and labourers. Less than fifty thousand will not (as I may say) stock this new form and if five hundred thousand be well laid out and employed the Farm will not be overstocked there is subject enough to work upon. These are great sums but I doubt we have expended greater that will never bring us in three per cent.

I confess besides the Dutch fisheries in one sea and the French fisheries on the Bank we have still another rival and that is the Island of Newfoundland. It were to be wished that either Newfoundland were not, or that it were our own, yet even as the case stands we are able to vie with Newfoundland and in several respects have the advantage of it. The Newfoundland Seas are frozen for five months during which time all their fishery stops. They cannot get so soon to the market with their fish as we may. But principally food, labour, and other materials, are three times as dear in Newfoundland as in Britain. I am the more easily induced to believe that our fisheries are preferable to those of Newfoundland when I observe that the Dutch (who very well know how to choose for themselves) have never looked after the Bank or Newfoundland fishings but while we go a five or six weeks' voyage to seek fish, they come to our doors and catch them. But admitting that (by reason of the plenty of fish and the frequent supply of French goods and plenty of wood) Newfoundland could rival us in cod fishing still the herring fishing is left entire to us and I wish we had that.

Besides the mediate advantages by the fishery there are many happy consequences by these means would attend the other branches of our trade and also our tillage. It is computed that three hundred herring Bushes employ and maintain one thousand ships and ninety-four thousand people, thus the victuals of the nation would exert their strength within ourselves, our corn and wool would bear a price when so many thousands were constantly to be fed and clothed that neither till, graze, nor spin. All manufactories are by the Fisheries set to work, all other branches of trade are encouraged and what the Revenue of Custom loses in one part of the nation on the exportation of fish is abundantly compensated by the importation of the returns at another part of the nation.

A further consequence of mighty advantage that would attend the improvement of our Fisheries is that our West India plantations would thereby be more certainly cheaper supplied with what they require which will not be found less than one thousand barrels herring or a proportionable quantity of other fish per diem.

And here I cannot pass over without observing that our West India plantations I mean those that produce sugar, tobacco, and other commodities, that Britain doth not produce, are with respect to themselves and to Britain so well adapted by nature for producing sugar and tobacco and thereby for being supplied from home and from Guinea with what is necessary for that trade that we might also undersell all Europe in these two commodities and thereby also enhance that trade.

Our plantations annually import to the value of three millions in tobacco and sugar and they export above the value of two millions in necessaries. And at this day no sugar planters I am sure clears generally speaking three per cent on his capital stock so dear are they forced to pay for necessaries which (is evident) might well be afforded twenty per cent. cheaper. Yet under all these disadvantages we are able to undersell other nations, witness the great quantity of sugar and tobacco we annually export to Holland, &c. How much more might we undersell them if we were supplied twenty per cent. cheaper. This would effectually ruin our enemy's plantations and all for less charges than I have seen bestowed on fruitless expeditions to that purpose.

To conclude, our land and sea at home and our plantations abroad are a most certain and sufficient foundation to employ and enrich the nation. And while our product over all Europe is more necessary than silver and gold we shall never be without that when our neighbours have it. And if we exert our strength within ourselves that will also daily increase.

I assure you the foregoing reckonings are not at random but on good information and some knowledge. I could add much more on the subject and descend to particulars which would illustrate and confirm what I have said. I could also give some account of the causes of stagnation in these principal branches of our trade and how they might probably be put in motion but I doubt I have writ you already more than you expected. However I cannot conclude without taking notice of your old objection viz. :

France will get Spain and the Spanish Indies and consequently all the silver and gold and thereby (as the world goes) all the strength, then what signifies your corn, wool, fish, sugar, and tobacco. On the other hand I say whoever can sell the things cheapest that human life requires most, will infallibly get the most money and no nation will or can hinder its inhabitants from changing money for the other commodities that are more necessary for life. Let us suppose two islands in one of which there is plenty of all necessaries of life, and in the other want of these and plenty of Silver and Gold. The first is certainly happier richer stronger in itself better employed, fed and clothed than the second. The first can subsist without trade with the second, but the second cannot without trade with the first.

But admit that this second besides Silver and Gold has also sufficient of the necessaries of life and the Government there absolutely prohibit and can effectually hinder the exportation of Silver (which by-the-bye is impossible) the consequence will be thus Silver daily increasing and not being wasted in the using as the necessaries of life are, Silver and Gold will in respect of them be mighty plenty so that perhaps a pound of Silver may come to be of no greater value than a pound of bread. But this will not make the people richer or happier but rather poor and more idle for silver is a commodity that feeds and clothes none and sets very few to work. When we speak of the value of anything we mean the proportion that such a quantity of that thing bears to other things and the Silver and Gold by reason of their durableness and easy carriage are the common standard of the the value of things yet that does not hinder but the nation that has ten millions of food and clothing to dispose of is as rich as the nation that has ten millions of silver, and indeed richer in so much as the end is better than the means.

But this prohibition of export of Silver if it were possible as it is not yet it is not prudent in any nation for it would at once stop all trade for nobody will import unless they can export, and export they cannot without apparent loss, all commodities except Silver being dearer there than anywhere else.

But such a prohibition of exportation (of so portable a thing as Silver and Gold) even out of an Island is impossible, much more is it so in a Continent, Silver and Gold will find the way out of it, if it be an advantage to send it out.

And what once goes out of such a Country will never return again to that Country till its value came to bear a proportion there with the values of other the more necessary commodities as (*sic*) life.

This might be illustrated by examples drawn from Spain, Portugal, and the Mogul's country on the one hand and from Holland and Leghorn, etc. on the other hand. But without more or apology for this I conclude.

Oxford's docket. Received April 9, 1712. Mr. Norman.

SIR JOHN MACLEAN to the LORD HIGH TREASURER.

MEMORIAL.—Sir John has accounts from Lord Breadalbane that he is ready to enter into measures with my Lord Treasurer for the Queen's service, and, if Sir John can go to Scotland, wishes to confer with him about it: if not, that he will send hither one impowered by him. Sir John sent an answer that he might expect him very suddenly, which he took upon him by what my Lord Treasurer had signified to him of his design of sending him to Scotland. The sooner Oxford can despatch him the more useful he can be since he is certainly informed that several attempts are made to give sinistrous impressions of what his Lordship has in hand with the Highlanders which, if allowed, Sir John can set to rights.

It would be for the Lord Treasurer's service that Captain Ogilvie were sent down with Sir John.

Finding it for the Queen's service that the family of the Mackenzies should be brought into the measures proposed by Oxford, Sir John has dealt with them so that Colonel Mackenzie uncle to the Lord Seafort, having waited on him, Maclean has impowered him to receive Oxford's orders to dispose of the family and following as he shall judge proper for the interest of the Crown.

As to the 4th additional Highland company, my Lord Treasurer will be pleased to signify to my Lord Lansdown that, when it is proposed to add 30 men to each of the three, nothing may be done in it without my Lord Treasurer's knowledge and then his Lordship is referred to the former memorial whether a fourth company may not be more useful.

Oxford's docket. Received March 26, 1712.

The Rev. W. CARSTARES to the EARL of OXFORD.

1712. April 10.]—Proposal for a letter from the Queen to the General Assembly to allay fears and jealousies which the late occurrences may have possessed some of them as to the security of the Government of the Church established by law in Scotland.

Draft with corrections.

Ja. Murray, M.P. for [Perth], Geo. Lockhart, M.P. for [Wigton Burghs], John Carnegy, M.P. for ———, to the [EARL OF OXFORD ?]

[1712, April] 21, 10 at night. London.—We presume to acquaint your Lordship that to-day some resolutions passed in the Committee of Ways and Means which are undoubtedly of very bad consequence to our Country.

All the gentlemen who serve for Scotland met together this evening and have deputed us to represent this matter to your Lordship, and since it cannot admit of any delay the Report being ordered to be received to-morrow morning, we humbly desire that your Lordship will be pleased to allow us an opportunity of waiting upon you some time before the House meets to-morrow.

The Rev. W. CARSTARES to the EARL of OXFORD.

[1712. April.]—I am so sensible of your Lordship's uneasiness as to what occurreth here as to the affairs of our church that I have not confidence to trouble you with discourses about them and indeed I am so much afflicted with the accounts I have from Scotland of the consternation and uneasiness that people are in there who draw conclusions from what hath been done and is adoing in Parliament that they shall meet with one hardship after another and that the overturning of the constitution of their church is designed that I have no comfort in thinking of going to Scotland where those that have been for the Union are like to be not a little exposed: and yet I must of necessity be going a week or two hence at furthest, the Assembly being to meet in the beginning of May and I as Moderator of the last being obliged to open it, and, therefore, so soon as this Bill is over I intend to be going.

I beg leave to put your Lordship in mind of the necessity of not delaying to appoint a Commissioner to represent Her Majesty in the Assembly and to adjust his instructions and Her Majesty's letter to the Assembly, so as he may have the advantage of some days to discourse with the members before they meet in the Assembly and to write to Court for new directions, if he shall find it necessary.

I send you a letter from the Commission of the Assembly with a representation concerning the depending Bill about Patronages. We have little confidence to trouble Her Majesty again with what we of ourselves presumed to represent when we had the honour to wait last upon her but your Lordship knows we are under command and must be accountable to the Assembly for our conduct.

It would be a satisfaction to have a few minutes to discourse of these things as soon as your weighty affairs can allow it.

Unsigned and undated.

[The SAME] to [the SAME.].

[1712, April.]—Your Lordship's recurring indisposition cannot but be afflicting to one who hath justly so great a honour for you as I have and who is so sensible as I am of your public usefulness, but it is a peculiar satisfaction to me to hear that your Lordship is eased much of your pain and in a hopeful way of recovery which makes me presume to send the inclosed (*not here*) from the Commission of our church, which I had upon Friday last but did not think it expedient to trouble you with when I heard you were so ill.

The letter, which you had the goodness to procure from her Majesty by my Lord Dartmouth, was read in the Commission and gave great satisfaction. I hope your Lordship will obtain a proclamation for a fast according to the humble desire of the Commission and it would be very acceptable to have it soon granted. I have a long letter to your Lordship from my Lord Advocate which he wrote at the earnest desire of the Commission but I have not the confidence to trouble your Lordship with it till you have a more confirmed health, which is the hearty desire of him who is your Lordship's in all duty and faithfulness.

The Commission hath also sent a letter to each of the Secretaries which I have delayed to deliver till your Lordship should know what is wrote to you.

I hope that so soon as I can have the honour but of a very short time with your Lordship such a proclamation for a Fast may be drawn as may be pleasing to Her Majesty and her Council and give satisfaction too to our church and make that affair easy for the future.

The Same to the Same.

1712, May 3. Edinburgh.—I have had too many proofs of your Lordship's goodness to me to be afraid that I shall incur your displeasure by presuming to pay thus my humble duty to your Lordship and returning my humble acknowledgments for all your favours. I find many members of the Assembly so uneasy that I dare not make any positive judgment by what I have seen of what may be issue of the meeting, but I doubt not but they will testify all duty and loyalty to Her Majesty and I cannot but acknowledge that my Lord Commissioner does behave very well and suitably to his high character and with a tender regard to Her Majesty's honour and to the quiet of her government, and I know you will believe me when I say that nothing shall be wanting in me that may contribute to the bringing of this Assembly to such an issue that shall be to Her Majesty's satisfaction, though your Lordship knows how perplexing to me some things that have occurred have been and which you have in great goodness been pleased to allow me always to lay before you.

My Lord Commissioner does by this post lay before you an affair concerning the Assembly which both my Lord President of the Session and my Lord Advocate do think Her Majesty may allow according to law ; and I do with all humility and a most sincere regard to Her Majesty's service beg that you would be pleased to use your interest with her that what my Lord Commissioner does represent may have a favourable return. The scruples of many faithful subjects do seem to call for a compassionate consideration of their circumstances and I presume to think that it will be uneasy to Her Majesty not to condescend a little to satisfy the consciences of those otherwise heartily well affected to her person and government; I do, my Lord, with all thankfulness acknowledge Her Majesty's having had so kind a consideration of any expense I was at in attending at London and I cannot but put the higher value upon it because I neither did seek or expect it, but I find the Assembly will do as much as the public fund graciously granted to them annually by Her Majesty can allow for defraying the expense that my colleagues and I were at in attending upon their affairs at London and I cannot well see how I can honourably take from them and Her Majesty too, while it is otherwise with my colleagues and therefore I leave it to be considered by your Lordship if it might not be fit that when your Lordship is informed by me that the Assembly is about to do what I have mentioned you would be pleased to signify to my Lord Advocate that you are sensible that the annual fund granted to our church will difficultly bear the expense of those that agented her affairs at London and that Her Majesty in her royal bounty hath been pleased to give all of us an allowance for our expenses. I blush at this bold freedom I use but I hope you will pardon it; but it would be an ease to me in present circumstances if Mr. Blackwell and Mr. Baylie did share with me of Her Majesty's bounty.

W. West to the Earl of Oxford.

1712, May 8.—Of my proposals for raising money which Mr. Penn did me the favour to shew your Lordship about a year agon, and to Mr. Lowndes about two, three are approved by Parliament, vizt. ship cockets to be stamped, postage of letters to be raised, and now the duty on newspapers: I also please myself with the belief that the 2*d.* per pound retained of the allowance for exported tobacco had its birth from a letter I presented to your Lordship on 25 March last. All which, with the recommendation my friends Sir Arthur Kaye, Sir Ed. Bacon, Mr. Shuttleworth, and others, gave me to your Lordship by a letter of 9 April, and your own charitable disposition, will I hope move you to give me a subsistence for my numerous and wanting family.

My ruin is so near that I can't address your Lordship more pathetically than in the Disciples' words "Save, Lord! or we perish," for I am now reduced to that degreee that I have no other honest means to provide bread for my family next week, than by pawning the clothes off my back in which I shall present myself before your Lordship to-morrow and they are the only ones left to cover the body of, etc.

[The Rev.] John Stirling to the Earl of Oxford.

1712, May 10. Edinburgh.—I had not presumed on this while I cannot but know your Lordship is so much busied with the greatest affairs had not Mr. Carstares done me the favour to shew me what you were pleased to write to him. I am throughly sensible of our obligations to your Lordship for your kind concern for the peace and quiet of our church at this time. I will do all I can, with others, to bring the Assembly to such an issue as may contribute to it and be to your Lordship's satisfaction. We are like to have considerable difficulties and are not without fears for it cannot be denied the late occurences have raised jealousies and fears about our constitution. But your Lordship may be assured due pains will be taken to have matters so managed in the Assembly so as neither the peace of the church may be broke nor the quiet of Her Majesty's government disturbed. My Lord believe me to be deeply sensible of your goodness and my obligations which I shall always acknowledge.

Sir Ja. Steuart to the Earl of Oxford.

1712, May 15. Edinburgh.—I had the honour of yours of the 18th April last by his Grace the Duke of Atholl and I must think that it was more His Grace's good opinion of me than anything of my merit that could move your Lordship to write to me by his Grace so obliging a letter. I need say nothing of Her Majesty's choice of my Lord Duke to represent Her person in this Assembly, the event has fully verified that he was indeed the only person that could probably have brought it to such a happy conclusion.

There were in the entry great apprehensions of the success of this Assembly and when the brethren from the several presbyteries had produced their instructions there was yet more reason to fear what might be the issue, for the points generally insisted on were An Address, at least a testimony against the Acts lately passed in the Parliament, a Common Resolve as to the Oath of Abjuration and rather to forbear than to take it, and a National Fast upon the whole subject.

I cannot say that I have contributed anything in these matters but being of the same mind with your Lordship that notwithstanding of all that has happened yet we ought not to despair and far less to precipitate ourselves into greater inconveniences your Lordship may see that by His Grace the Duke of Atholl his singular conduct these points that appeared to be so difficult have been happily settled, for instead of either Address or Testimony in contradiction to the laws passed the Assembly was satisfied to give their approbation to the proceedings of the Commission of the last General Assembly and to recommend to their own Commission to endeavour in due time and manner such redress as could warrantably be obtained and to represent this to Her Majesty with all due submission. And as to the Abjuration your Lordship may perceive that they have come to no positive resolution but did agree unanimously to give a full declaration of their principles for manifestation of their loyalty to Her Majesty and their true concern for the succession in the Protestant line, with a most humble address to Her Majesty that such as may continue unclear as to the taking of this oath may be nevertheless regarded as good and faithful subjects and have all possible relief. And as to the third point concerning a national Fast, your Lordship will also perceive that it is happily waived and the matter of duty on this account settled without the least ground of offence. His Grace and others will certainly give you a more full and satisfying account of all that has passed in this Assembly but these things I have touched as the most delicate and uneasy matters and whereof the happy settlement is only due to His Grace's good conduct and all I shall presume to add is that I hope Her Majesty being fully satisfied with the loyalty of all the ministers of this church will be ever careful that weak scruples be treated with charity and compassion in place of rigour and that Her Majesty may be graciously pleased to intrust the powers of presentation of such churches as now belong to her patronage, and which are indeed very many, to such persons as may manage the same best to the satisfaction both of presbyteries and people concerned and be indeed an example to all other patrons.

I dare adventure no farther but must still hope that through Her Majesty's wise and gracious conduct, by your Lordship's good influence, the many present fears and apprehensions of her good and faithful subjects of this church may be well prevented.

I am truly ashamed but must beg your pardon for writing with another hand but the gout knows no civility. And yet I must still add one single petition in behalf of the bishop of the Isles his relict. He was a good man and hath left this gentlewoman with her children in straits, as I believe my Lord Balmerino hath informed you, and it was once in a manner there settled that she should have 40*l.* *per annum* as her Majesty's bounty but it hath as yet taken no effect. (*Signed*) Ja. Steuart.

P.S.—My son kisses your Lordship's hand most humbly.

Oxford's docket. Lord Advocate. May 15. Received Monday morning May 19.

The Rev. W. Carstares to the Earl of Oxford.

1712, May 15. Edinburgh.—I am heartily glad that this day hath put a happy end to our Assembly. We parted in great harmony and I hope with a good disposition to manage ourselves with great modesty and calmness and with entire loyalty and duty to Her Majesty. I shall not trouble your Lordship with a repetition of what, no doubt, you will know from my Lord Commissioner and the Moderator. We had great difficulties to struggle with in meetings of our Committee which was indeed ordinarily more numerous than our Assembly, all ministers, though not members of the Assembly, being allowed to be present and to speak their thoughts freely, which some did in such a manner as to the hardships that they judged were put upon them as made me sometimes almost despair of our coming to any satisfactory issue. The late Acts and particularly the Oath of Abjuration had much embittered the spirits of many but, blessed be God, we have parted with a better understanding of one another and with more love than we did meet. But our circumstances call for a gentle management which, I hope, we shall meet with through your kind interposition for we have none under God and our sovereign that we can depend upon for favour but your Lordship and, as I have told in a very full committee of ministers and holders, where many besides members were present, that my brethren and I that were at London, did upon all occasions meet with particular proofs of Her Majesty's goodness in allowing us ready access when we presumed to desire it and accepting graciously any representations we had humbly to lay before her, so I thought it my duty to make known to them that some of greatest power under her were so much concerned for the quiet of our church that had things been managed according to their inclinations we had not been troubled with things that are now grievous to us ; and I hope I said nothing that will either be displeasing or prejudicial to your Lordship for it was known of whom I spake.

I cannot but acknowledge that my Lord Commissioner hath managed his character to great advantage and with a greater condescension to us than I could have expected from him and I am more sensible than ever that he was a very proper person to be employed upon this occasion for, as I told your Lordship, his having been against the Union did give him a great influence upon some of the warmest ministers and he hath improved it to good purpose and I must add that as he hath been obliging to the Assembly so he hath manifested a tender regard to Her Majesty's person and government. The Moderator acted his part with great discretion and to general satisfaction. He was the person that I was greatly desirous to have for my successor in the chair for we are intimate friends and he is a person both of good accomplishments and integrity and I hope, if any occasion shall offer, your Lordship will shew your regard to him. As for my management upon this occasion I shall say nothing but I hope I have acted so as I have done nothing to make me forfeit any share that you have done me the honour to allow me in your favour.

I thankfully acknowledge the honour of your obliging letter that came to me under my Lord Commissioner's cover.

P.S.—I must beg leave to trouble with a few lines by the next post. I cannot forbear to add that two days ago I had an unsubscribed letter left at my lodging using several arguments handsomely expressed to persuade and convince the Presbyterians of Scotland that there was no just ground for their scrupling to take the Oath of Abjuration and indeed it was so well penned that I thought it expedient to read some parts of it in the public committee of the Assembly where it seemed to be much regarded. Your Lordship shall have a copy by the next post. It advanceth one matter of fact which, if true, will remove the scruples of many here, if not of most of those that have them. It is that when the oath was first framed together with the Bill limiting the succession of the Crown immediately before the late King's death a party in the House pleaded that a clause should be put into the oath for giving security to the church of England as established by law, but it was answered that the oath was intended for a test of good affection to the settlement of the Crown to be taken by all protestants without distinction of parties and that the clause that was offered to be put in for the security of the church of England in particular, being put to the question it carried in the negative. If this be really so, it would greatly contribute to reconcile many to the oath. I beg pardon for this presumptuous freedom.

Rev. W. CARSTARES to the EARL of OXFORD.

1712, May 17. Edinburgh.—Had I had a minute to spare since I came to Scotland, I had done myself the honour to have paid ere now my respects to one whom I so truly value and to whom I am under peculiar obligations of which I hope I shall always have a thankful remembrance. After many warm and long debates about the Abjuration and the hardships we labour under by the Acts of Toleration and Patronages, we at last amicably agreed in the inclosed Act and address (*not here*).

I have likewise sent you two paragraphs of an unsubscribed letter (*not here*) sent to me about the Oath of Abjuration and they contain two arguments for clearing scruples about it which I never heard taken notice of before and are of great weight and, if what is said in the first about the question moved in the House of Commons at the time mentioned can be found to be true, it will do most important service here and will leave very few scruples about the Oath. It may be your Lordship may have occasion to be fully informed about it. I presume to send the inclosed paper about St. Andrews (*not here*) relying upon your favour to that society. Time will only allow me to assure your Lordship that I am, etc.

The SAME to the SAME.

1712, May 17. Edinburgh.—The obliging freedom with which your Lordship hath always been pleased to treat me and which I shall be careful not to abuse, doth encourage me again to trouble you in this manner, I did not take notice in my last, which came under the cover of the Duke of Atholl, of what your Lordship did with so much kindness write to me about what concerns me and my brethren that were at London but now having your most obliging allowance to write about it I do declare that the great thing that moved me to suggest to you what I did was the desire I had to be in a capacity with the greater boldness to serve Her Majesty and testify the honour I have for your Lordship and confute an abominable calumny that I heard once whispered that money was sent down to bribe ministers to be silent upon this occasion, though I must own I heard it but from one person and I do not find that our greatest enemies have the confidence to spread such a falsehood ; but I was willing that my brethren and I might upon such an occasion as this be upon a level that Her Majesty's goodness to us all might be openly avowed ; and this is the plain truth and therefore I humbly suggest that your Lordship would give such a note to Mr. Blackwell as you were pleased to give to me and another to be sent by him to Mr. Baylie. And if you please you may tell him that you will take care that I have the same sum and desire him to write to me of it. I really blush when I write thus but your great kindness to me and my candid acting in this matter will I hope obtain your pardon of this presumptuous freedom. I send the copy of that unsubscribed letter (*not here*) that was sent to me which I took the liberty to mention in the last letter I did myself the honour to write to you. If what is in it about what passed in the House of Commons be true, it will do most important service here in removing scruples about the oath. Blessed be God our Assembly hath so comfortable an issue. The Commission also is this day adjourned and we parted in great love but had two impertinent appeals in matters purely ecclesiastical to the Queen and Parliament but the Duke of Atholl hath prevailed to get one of them withdrawn and hopes to have the same success as to the other ; but it is plain that our enemies use all methods to vex us and make us uneasy but I hope that under God we shall by Her Majesty's goodness and your Lordship's favour be protected from their bad designs.

P.S.—Pardon, my Lord, this blurred paper which was by accident so.

DAVID LYNDESAY to the EARL of MAR.

1712, May 20. Edzel.—Though I have not the honour of your acquaintance, yet your Lordship has so good a character of being ready to assist and be friendly to all your countrymen that I have taken the liberty to make a proposition to your Lordship which I beg you may be pleased to assist me in, since I hope it may be for Her Majesty's service. I hear several of the Highland gentleman have engaged to have what men they can command in readiness for the Queen's service and since they will be both at trouble and expense about it Her Majesty is pleased to gratify them for it. Though I cannot bring so many men together as some of them, yet I shall be as ready to my power as any of them and considering my nearness to the Low Country I may pretend to be as useful as any of them, my men being reckoned as good and better armed than most of them, which none in your Lordship's interest of Braemar is ignorant of. Five hundred is all I will promise for and these I hope your Lordship will do me the honour in my name to make an humble offer of to Her Majesty to be ready for her service on all occasions. The bringing and sometimes keeping them together for their better ordering will put me to some expence, which, if my family were not at present in a lower condition than formerly, I would not name but I refer that entirely to Her Majesty, not doubting but she will use me no worse than others.

Docketed. The Laird of Edzel to the Earl of Mar. To be shewn to Lord Treasurer.

[REV. W. CARSTARES to the EARL of OXFORD.]

1712, May 21.—As I greatly rejoice in the Assembly giving the Queen and your Lordship so much satisfaction, so I hope your Lordship will now allow me to return home.

And as my post in our church is amongst a most sagacious and disaffected people to our interests, upon which, considering the late occurrences, I am the person above others most in hazard to meet with insults so nothing can prove a more effectual remedy than their knowing that I have the honour of some little share of your Lordship's favour. As an evidence of which your Lordship's generosity in the affair of the colleges will be of considerable use and as none can wonder if I should be now heartily wearied of seven months delay, especially after so many discouragements to our poor church, so I hope as your Lordship's goodness hath caused the warrant to be drawn so I must earnestly entreat that you will procure its being signed and I may be favoured with a sight of it. [I will] willingly wait on your Lordship at the [cock]pit this day for I know Mr. Taylour [has] it ready at your Lordship's call. This importunity is very much 'antipods' to my temper but considering my present circumstances I cannot believe but your Lordship's goodness will forgive me.

Unsigned. Seal.

[BARON SCROPE] to the EARL of OXFORD.

[1712, May.]—Her Majesty's directing the affirmation to be taken instead of an oath, when there is no law for it, will be liable to many objections; and the commanding the magistrates to alter the Burgess' oath, which they have used thirty years, without inquiring whether they have by their charter a power of imposing such an oath, or hearing what objections they have to it, will I fear make them troublesome, and therefore I must humbly submit to your Lordship's consideration whether it will not be proper to refer the complaint of the quakers to the Barons who will, if directed, hear what is to be said on both sides and perhaps may prevail on the magistrates to ease the quakers without further trouble.

Oxford's docket. Baron Scrope about the quakers at Aberdeen. Received May 24, 1712.

RO. STEUART to [the EARL of OXFORD.]

1712, May 26.—I humbly beg leave to give your Lordship the trouble of this, heartily regretting my misfortune in being represented to your Lordship as one who has dependence upon any particular great man in Scotland farther than mere gratitude. The reason I presume this far to complain is that some of our friends there have wrote to their relations here that your Lordship is very much displeased with Glengary and me, being made believe that we have a great deal of dependence upon the Duke of Atholl. Your Lordship will easily be persuaded by the steps I have made that my dependence is only upon the Crown and your Lordship as my particular patron by whom I will always stand. The service I have done I hope is proof enough of my sincerity and independence upon any Scots man, for it is well known that the Duke of Atholl is very much displeased with me ever since I was at London for having done anything about him. This Sir Patrick Murray may inform. So long as I have the Queen's protection and your Lordship's friendship I shall be very easy as to the malice of our great men and I can promise as much for Glengary which he will assure your Lordship under his hand. Your Lordship has been pleased to promise me your friendship and to trust me and that minute I fail I shall be willing to be made a sacrifice. I hope your Lordship is convinced of the interest I have with the clans in bringing them to your measures notwithstanding the many attempts has been made to obstruct all by several of our great men, I farther presume to acquaint you that I am told that some of our friends have given in a petition to your Lordship in favour of one Drummond of Bohady and Grant of Glenmorislouc and Chissome of Struglels. Lest your Lordship should think we all had a hand in this I thought it my duty to inform your Lordship that they are people of no interest in the country nor can any of them bring an hundred men to the Queen's service. I did refuse to apply to your Lordship for them.

I have seen Lieutenant General Maitland on his way to London. As he told me he promised to inform your Lordship of the humours in this Kingdom.

I beg pardon for this trouble and entreat the continuance of your Lordship's friendship till I deserve otherways. Ro: Steuart.

[The EARL of MAR to the EARL of OXFORD.]

[1712, August 3.]—My Lord, I find by Baron Scrope, who has been with the Attorney and Solicitor, that they have a great many scruples about those two Commissions of Trade and Chamb[erlainry] and the principal one is that of there being a Commission of Trade here for Britain, and the Solicitor founds much on this. Should these Commissions be now delayed or stopped, and nothing else put in their place for those gentlemen who are of it, your Lordship may safely see the bad humour it will put them in. The Attorney and Solicitor are, I believe, to send me a report on the whole matter, and, if they be against the commissions, it will effectually put a stop to them. I thought myself obliged to let your Lordship know this before they have made their report. I hope you will remember to speak to Mr. Baitman concerning rooms for my office; I am told those where Vanbrugh had his office are empty.

Your Lordship may remember what I mentioned to you concerning my pension. There is only indeed half a year due now at Christmas, and the same to Lord Findlater. Whitehall, Tuesday. 2 o'clock. *Undated and unsigned. Seal.*

P.S.—Honest Mr. Whitham will be mightily mortified now that there is now a vacancy in the Board of Excise here, if you do not prefer him to it. I hope he might inspect that affair in Scotland notwithstanding his being in that business here.

Enclosure 1.—August 4th, 1712. Some considerations concerning the Commission of Trade in Scotland.

Enclosure 2. I have no objection to these Commissions of Falconer and Wardrobe but think that they should be passed, I leave it to your Lordship by whom. They used formerly to pass by the Secretary, even since the Union. Speaking of this I beg leave to mention to your Lordship the adjusting what things should pass my office and in what manner, for else mistakes may happen without any design, for which I should be very sorry, and what is betwixt the Treasury and Secretary Office may be very easily adjusted and set right for your Lordship shall make them as you please. Till you think of this I shall write to Lockhart to-night and tell him you have agreed to these two Commissions and that they shall be very soon despatched; but in the meantime it were fit he should send to somebody he trusts here the two warrants which were wrong.

As soon as I come from Windsor I shall write to the Secretary at War and it will be that time before Mr. Guin be in town.

Oxford's Docket. Received August 6.

MEMORIAL to the EARL of OXFORD on behalf of GEORGE, EARL MARISCHAL of SCOTLAND.—The late earl having punctually attended the public service two years in Parliament ended his days with an equal mind and constant resolution. Oxford early took the present earl, when Lord Keith, under his particular direction and moved the Queen to grant him a troop of dragoons in Lord Hindford's regiment; after which he had the Queen's leave to travel and while he was abroad his father has died.

His nearest relations beg leave to put his Lordship in mind to represent to Her Majesty the promising hopes of the present earl's youth and the low circumstances of his family that some suitable mark of her favour may be obtained for an ancient and loyal family which has suffered without complaint, always served without fear, and it is hoped may be preferred without envy. *Undated.*

Oxford's docket. Received August 5, 1712, from Mr. Wm. Keith.

JA. STUART to the EARL of OXFORD.

1712, September 2. Edinburgh.—I cannot but hope that this line, which should be delivered by my daughter, may meet with your Lordship's good acceptance. It hath pleased Her Majesty to appoint Mr. Scot, my daughter's husband, her envoy to Aug[ustus] king of Poland ; and he being gone thither my daughter with her children that she hath left with me is returned to London to look after his affairs. I must humbly intreat that she may have your countenance and assistance that imployment may be a happy introduction to bring him to some more fixed post in her Majesty's service.

SYNOD of PERTH and STERLING to [the EARL of OXFORD.]

1712, October 16, Perth.—The Synod, understanding that many ministers in this province whose difficulties about the Oath of Abjuration do still remain when at the same time we are unanimously agreed in all its substantial parts, have judged it our duty to address the Queen, representing our firm loyalty to Her Majesty, our utter aversion to the Pretender, and our sincere inclination to the Protestant succession in the family of Hanover, craving her favour and that in her royal wisdom she would find out some expedient for the relief of such who shall not find clearness to take the said Oath. We have desired the Earl of Ila to present our address to Her Majesty and send a copy to your Lordship earnestly desiring your friendly endeavours in order to her acceptance. *Signed,* H. Whyte, Moderator.

LORD DRUMMOND to [the EARL of OXFORD.]

1712, October 18. Drummond Castle.—Though I have not the honour to be known to your Lordship, yet I presume so far on your goodness and the friendship has been betwixt our families as to beg a favour of you : it is of no importance to the government but of considerable advantage to my vassals and tenants. Captain Cameron will present the paper : he will give you a more full account of the matter than I shall trouble you with. I shall only beg leave to assure you that none of my predecessors ever had or could have a greater value for yours than I have a just esteem and respect for your Lordship's merit.

Oxford's Docket. Received January 17, 1712-13.

COMMITTEE of the ROYAL BURGHS to the LORD HIGH TREASURER.

1712, December 9. Edinburgh.—Your Lordship may remember that about the time of opening of the Congress there was a memorial relating to the commerce betwixt Britain and France presented to Her Majesty to be transmitted to her ministers at Utrecht by our Commissioners, seconded by the Lords Commissioners of Trade and Plantations, a copy whereof your Lordship was pleased to accept of: and now that there is an ambassador appointed to the French King and that the good settlement of commerce with France is of the greatest importance to Britain we beg leave to transmit to your Lordship the copy of the said Memorial, humbly desiring your Lordship would be pleased to give your friendly assistance in having the particulars therein contained recommended to the special care of the ambassador. Signed in their name and at their appointment by Sir Robert Blackwood of Pitrevie, Lord Provost of Edinburgh.

Sir ALEXANDER MAXWELL, Bart. to the LORD HIGH TREASURER.

REPRESENTATION.—Nothing weakens the administration in Scotland so much as the Commissions of the Peace being in the hands of persons not well affected to the Queen's administration and nothing would strengthen the Government more than a new nomination of such persons as are well affected.

When application was made to the Lord Chancellor to issue out a new commission of the Peace for the county of Wigton, his Lordship seemed unwilling to leave out any names of those who were in the former commission but allowed a small addition of some that had been left out and the member of Parliament who applied for the same was to be at the charge of the *Dedimus*, for which 20 or 30 guineas was to be paid, which will make new commissions difficult to be had seeing private gentlemen will not be at such a charge for the public service. It is hoped your Lordship will take the premises into consideration being of much importance to the support of the government and discouraging persons that are disaffected. [1712.]

[REV. W. CARSTARES to the EARL OF OXFORD.]

[1712 ?] That I may take up less of your Lordship's time when I shall have the honour to wait upon you, I have presumed to send you the enclosed accounts about Orkney which I had by the last post. The one is a letter from one of the ministers of that country, the other is a copy of a letter to the commission of the Church from the presbytery of Caithness concerning that affair. A putting out some of the justices of Orkney would in my humble opinion be of great advantage as the satisfying of minds of many in this juncture.

The Rev. Mr. Baylie of whom I spoke to your Lordship, is speaking of returning to Scotland upon Thursday next, and I should be glad he might have the honour to kiss your hands before he went, though I have no confidence to take up any of your time which I am sensible must at present be very precious. *Unsigned and undated.*

Rev. William Hamilton to the Earl of Oxford.

1713, March 28. Edinburgh.—May it plase your Lordship. I return my most humble thanks for the honour of your Lordship's which I had by the express to my Lord Advocate. Your Lordship's concern to have the necessary preparations for our Assembly 'exped' in due time so as it may sit at the day to which it is indicted is most encouraging, as also your great condescension to allow the suggesting of what may be fit to be added to what was in the last instructions. My Lord Advocate did Mr. Carstares and me the honour to call for us that we might discourse with his Lordship on that head. We were of opinion very little needed to be added to what has been in use formerly. I know that what has been thought upon will be laid before your Lordship by my Lord Advocate and therefore it were presumption in me to add anything further but that I am etc., Will Hamilton.

The Synod of Fife to the Earl of Oxford.

1713, April 10. Dunfermline.—The Synod having found it necessary to address Her Majesty concerning the settlement of a professor of Divinity in the University of St. Andrews the address was transmitted to the Duke of Atholl as chancellor of that University. Lest he should be absent, a signed copy of that address is enclosed, which the Synod entreats your Lordship to lay before Her Majesty and use your good offices for obtaining a gracious acceptance of it. *Signed* Jo. Gibb; moderator.

Enclosure.—The address to the Queen against the presentation of Mr. Alexander Scrymsour as professor of Divinity in the Old College of St. Andrews.

Alexander Murray to [the Earl of Oxford.]

1713, April 22. London.—No doubt your Lordship knows that Lord Forfar, who was Lieutenant Colonel to Colonel Kerr's regiment of Dragoons, has purchased Sylvyn's regiment and obtained Her Majesty's liberty to sell his own post. He has acquainted Lord Torpichen, major of the regiment of Kerr, thereof and made him the offer of the lieutenant colonelship for 900*l.* telling him that he expected his answer immediately, otherwise he would dispose of it to a brother of Lord Barclay's, one of the youngest captains in Kerr's regiment, who offered ready money.

This peremptory letter put Torpichen under the immediate necessity of accepting the offer or selling his own post, the last of which few people in the army are fond of. Without advising with his friends, Torpichen rashly wrote to Forfar an answer that he would come to England in all haste and endeavour to raise the money; and reached this place from Bruges yesternight. He is now, I think with good reason, in great doubts what to do.

The favour I am to ask your Lordship to acquaint me whether you think Lord Torpichen may safely buy this post or not.

Rev. W. CARSTARES to the EARL of OXFORD.

1713, May 2. Edinburgh.—His Lordship's kindness to Mr. Hamilton is peculiarly obliging and his kind care as to the affairs of their Assembly is a great obligation upon their church to attend his Lordship with their best wishes. Many here begin to be more sensible that but for his Lordship not a few hardships would be put upon this church while our gracious queen might know nothing of them, as her Commissioner did inform some of them did fall out in the affair of the professor of Divinity at St. Andrews. His Grace did his Lordship justice in telling them that his Lordship was much concerned that that business was so managed as to give any uneasiness to their church.

[1713, July 1.]—Messages from the Sovereign to Parliament; with a Resolution of the House that a Fund (redeemable by Parliament) be granted to Her Majesty,[her] heirs and successors, for payment of interest after the rate of 6 per cent per annum from December 24, 1711, for the several public debts and deficiencies for which a supply was voted March 10 last, and also for the interests of the said debts and deficiencies to December 25, 1711. *Copies.* 14 *pp.*

Oxford's docket. Precedents, July 1, 1713. Messages of the Sovereign to the Parliament.

Sir JOHN MACLEANE to [the EARL of OXFORD.]

[1713, July.]—Your Lordship's indisposition not allowing me to presume on your time last night, I take the liberty to acquaint you by this that it is not private business that my Lord Breadalbain sends by this gentleman but what regards the Queen's service in Scotland at this juncture and I am hopeful you will find his commission for Her Majesty's interest and your Lordship's satisfaction. This obliges me to repeat my trouble to your Lordship in wishing that you would be pleased to order him to wait on you.

Oxford's docket. Received July 28, 1713.

1713, August. List of Peers who will probably not be at the election. But some of them may by their proxies.

Thirty-four names.

Jo. PRINGLE to [the EARL of OXFORD.]

1713, September 2. London.—Congratulating him upon the happy marriage of the Lord Harley.

Cannot but reckon it his great misfortune that Oxford's weighty affairs did not allow him to receive his Lordship's commands ere he went into the country, which his own election obliged him to hasten.

Begs leave to take notice of the malice and envy of some which have gone so far as not only to make him ridiculous in relation to his Lordship but also to attempt the preventing of his election and quiet at home; neither of which they have been able hitherto (or he hopes ever shall) effect.

Is not ignorant that at this time Oxford may be obliged for the public good to make some alterations in the Scots' affairs. However it seems good to his Lordship, Pringle will be contented.

[The EARL of MAR] to the EARL of OXFORD.

1713, September 20. Sunday morning, 7 o'clock.—Lord Mordington, who is to have 100*l.*, being here, this is only to ask if you will pay it yourself to the bearer, Mr. Paterson, to whom I have given orders how to give it him that he may not trick us after he has got it: I have engaged that he shall have it on Wednesday next. If you do not think fit to pay it here, Mr. Paterson is to draw on me for it. If your Lordship be not to pay it here, send word to Mr. Paterson to write to me that he had delivered my letter to you.

I send enclosed James Steel's petition (*not here*) of which I spoke to you. I beg you will do something in the way he asks.

I have left my servant to wait your commands for my own affair. It will be a very great loss to me if he be long of coming after me: his name is Rait. *Unsigned.*

JOHN CARNEGY to the EARL of OXFORD.

1713. December 17. Edinburgh.—Thinks that he has at least equal pretensions to preferment with others and submits to his Lordship to provide for him in such manner as may be most convenient for his Lordship's service.

Capt. JOHN OGILVIE to the EARL of OXFORD.

[1713].—This is a Memorial that Mr. Cameron did give me to deliver to your Lordship that you might peruse it before the time that they are to wait on you. If your Lordship will mind the paragraph that relates to the Mackenzies, there is a very easy way to engage them and put you to no charges. Lord Seaforth is heritable sheriff of Ross but he being of a principle that would not allow him to take the oaths, our presbyterian Government put it into the hands of his enemy Grant; and

Grant chooses Spies of Kilrarok, a violent whig, for his deputy; who does tyrannize over my Lord Seaforth's family. Now, if your Lordship will restore the sheriffship to one of his family to officiate for him who is a protestant, this will oblige them entirely. But your Lordship must not speak of it to Cromerty for he envies Seaforth's family. Colonel Mackenzie is an old fellow soldier of mine in France. We were comrades and bedfellows; so, if your Lordship pleases I shall bring him to you and turn him to your Lordship's purpose. I shall show myself to-morrow to see if your Lordship has any commands for me; and, if not, I will go my ways home.

Enclosure.—A. DONELL to Captain ALAN CAMERON of Glenbingie at London.

1713, December 20. Invigarn.—Not having the fortune to hear from you since our last meeting but once, I was at ane stand judging why I was not desired to give return but my ensign Ochbrow having your direction I have put this under his care, complaining of your unkindness and negligence in neglecting to represent to the Lord High Treasurer the singular oppression and treatment I groan under beyond any other subject which is that of my house being garrisoned and ruined and the losses and damages not repaired.

SIR PATRICK STUART to the EARL of OXFORD.

1714, March 25, London.—I should think it below me to offer any vindication of what I say in so public a place as a House of Commons if it were not that some have been so base as to represent it as a reflection on Her Majesty and Ministers. My Lord, as I am incapable of such a practice so I could not do it without being guilty of the highest ingratitude which your Lordship shall always find me as far from as those who can act so unfair a part are from truth and candour. I am not much concerned what consequences such a bad practice may have as to the station I have the honour to serve Her Majesty in but I should be sorry to be thought unworthy of the many personal favours your Lordship has honoured me with, which I shall ever thankfully acknowledge, though perhaps it may be my misfortune to differ from you in questions of public concerns, and I appeal to His Grace the Duke of Athole whether my past services has not been with that constancy and zeal for Her Majesty's interest as to free me from the suspicion of anything so undutiful as a reflection on Her Majesty or Administration.

JAMES ELPHINSTON to the EARL of OXFORD.

1714, April 13. Edinburgh.—Making acknowledgment for the honour Her Majesty has conferred on him of being one of the Lords of Session.

Rev. William Mitchell to the Earl of Oxford.

1714, May 8. Edinburgh.—My Lord, The General Assembly having unanimously agreed upon an answer to Her Majesty's gracious letter and an address congratulating her recovery, which it is hoped will be found dutiful and loyal, I do myself the honour of transmitting a double of each to your Lordship, whom I pray God may bless and guide in your high station. I beg leave etc. W. Mitchell, moderator.

Thomas Bower to Lord Dupplin.

1714, May 13. London.—I have several times of late come with full resolution to lay my circumstances in their true light before you but the shame of owning my wretched condition has still overcome me and I find I shall never be able to make you sensible of it but by the mediation of a friend. There is but one in the world the bearer, Mr. Keith, whom I could employ in such a pitiable necessity which I am so fond to have concealed. This is the last effort I have to make and I know he will be trusty. If betwixt you you can't contrive some present relief there is no other help, but a desperate disease must have a desperate cure. I have chosen the bearer, who must know my case as well as myself: for to acknowledge the truth notwithstanding his own difficulties I have these many months been forced to be an additional burden upon him. Without him I must have starved, and what to do after he is gone, if I must be left behind him passes my comprehension. I beg you will give him entire credit in everything he is to say about me. The letter to my Lord Treasurer I judged to be absolutely necessary. It is impossible that so great a man, that one of his justice and generosity, that so great a favourer of learning, should be the instrument of hindering me from what was not only a handsome but honourable way of living abroad, without doing something equivalent or better for me at home according to his promise. My circumstances absolutely require something to be immediately done so as I may be enabled either to live at home or at least be put into a condition of making some poor shift for myself abroad. I must therefore beg that your Lordship will please freely communicate your thoughts to the bearer upon this unhappy subject and in case you approve of the enclosed, (*not here*) though far from expecting that your Lordship should stay in town for that purpose only yet I would gladly hope that, next to your own presence, if the enclosed was sent under your cover and delivered by Mr. Keith before he goes, it may move my Lord Treasurer either to send me out of the way or to preserve me from inevitable ruin and disgrace at home. *Holograph.*

Sir JOHN MACLEANE to the EARL of OXFORD.

[1714 May.]—I am in arrear of my pension three quarters at Lady Day last. I gave in long since an account of the taxes paid out of my pension till Lady Day 1713, for which your Lordship often promised a special order, and since it may be mislaid I have enclosed a copy.

I have waited your commands these two years past to the neglect of my small domestic affairs: and so long as you judged my attendance for your service I have postponed everything else to it. The dilatory payments and deductions occasioned difficulties which I chose rather to struggle with than be uneasy to your Lordship.

I lay my case plainly before you and leave entirely to you to determine it; for though I am born a Highlander and pretty much bred up at Courts, I can lay no great weight on my assurance, but one thing I can answer for that I shall always tell you truth and no private view shall bias me.

As I am going amongst men with whom I have some interest and who will give me credit, I beg you would allow me some minutes to receive your commands. *Without date.*

Oxford's Docket. Received May 3, 1714.

Enclosures.—A state of account to Lady Day, 1713.

Memo.—There are three quarters of his pension due, begs the Lord Treasurer to order payment of these.

Before he received the last payment, he applied to the Lord Treasurer as to some stoppages he heard was made in the pensions. His lordship told him there should be none but at the office there were 3*s.* retained of the pound which Sir John would then give his Lordship no trouble about: he now presumes to lay it before him.

The GENERAL ASSEMBLY of the CHURCH of SCOTLAND to the EARL of OXFORD.

1714, May 17. Edinburgh.—Having had under consideration representations from divers places concerning the growth of Popery and the encroachments of late made upon their legal establishment, they have unanimously agreed upon an humble address to Her Majesty concerning these things, whereof a copy is enclosed [*not here*]. They intreat his Lordship to interpose for a gracious return to their address.

Signed William Mitchell, moderator.

LORD JOHNSTON to the EARL of MAR.

1714, July 6. N.S. Geneva.—I have troubled you so often with my little affairs that I should be ashamed to renew my importunity were it not very necessary for me to acquaint you that I have at last a return from Mr. Prior to the letter I wrote him some months ago according to your directions in the beginning of March last. It seems he has not yet received any orders from the Lord Treasurer that regard me for he says that some time since he wrote to his Lordship on that and other affairs to know if he was to leave them with his successor Mr. Rosse, but he has not yet received any answer.

Entreats his Lordship to prevail with the Lord Treasurer to give directions about it that Johnstone may when the heats are over begin his journey into Italy.

Docketed: July 6 N.S. Received 13th O.S.

JAMES ANDERSON to [the EARL of OXFORD.]

1714, July 22.—I am necessarily obliged to go for Scotland next week. I most earnestly request that something may be done in my affair wherein I suffer so great hardships.

Enclosures. (1) *Memorandum* concerning his affair. In London in 1712 he gave in his case to the Lord High Treasurer who gave him 100*l*. of Her Majesty's Bounty, and desired him to go on with the work.

Upon this, he has proceeded and been at considerable charge.

He gave in a petition to his Lordship about having a grant of 41*l*. 13*s*. 4*d*. which he is obliged to pay yearly to the Crown out of a Farm he has in Scotland ; on which a report how it was to be done was made by the barons of the exchequer in Scotland, lying in the Treasury these 14 months and a grant drawn up in terms of the report also lying there.

All which are so heavy upon him that unless speedily relieved he cannot carry on the work longer.

(2) Proposals of James Anderson,

There is due to him 740*l*. out of 1040*l*. recommended by the parliament of Scotland to the Queen to order him for publishing and describing the charters, seals, coins, and medals, of Her Majesty and her royal ancestors, which sum was laid out since the Union.

He proposes that 240*l*. be paid him presently, and directions be given to the Receiver General and Collectors of the Crown Rents of Scotland to pay the remaining 500*l*. at Christmas next.

The parliament further recommended Her Majesty to supply his losses by the interruption of his employment in prosecuting the work.

As to this, he proposes that Her Majesty make him a grant of the yearly sum of 41*l*. 13*s*. 4*d*. issuing to her out of the island of Islay in Scotland for 30 years commencing at the Union or for such years as the barons of the exchequer in Scotland think reasonable.

For the future, if it be her pleasure he proceed in the work, that he be provided by office or pension.

(3) Petition of the said James Anderson to the Earl of Oxford shewing that 740*l.* is owing to him out of the 1040*l.* recommended for him by the parliament of Scotland as above; that there is issuing to Her Majesty forth of the island of Islay (whereof he has a farm) 41*l.* 13*s.* 4*d.* which he was made to understand would be allowed him, as mentioned in his petition referred to the barons of the exchequer in Scotland as above Now there is a demand for this yearly duty of 41*l.* 13*s.* 4*d.* for Her Majesty for the years since the Union, vizt. Whitsunday 1707, which is a great hardship on petitioner, he prays therefore that Oxford will release the said sum of 41*l.* 13*s.* 4*d.* since Whitsunday 1707 and discharge the levying till further consideration.

(4) Report of the barons of the exchequer of Scotland to the Lords of the Treasury as above, Edinburgh, February 15, 1711.

(5) JA[MES] ANDERSON to the EARL of OXFORD.

1712, November 3.—Your Lordship justly observed it was convenient for my carrying on the work to be here. The necessity for my going home forces me to pray your Lordship to order payment of the 740*l.* laid out by me and what reparation you think just for my losses; and I shall very soon return to prosecute the work.

(6) 1712, November 24.—I fully purposed to set out for Scotland this day but at the desire of Lord Dupplin and Lord Harley have delayed till Wednesday. Begs liberty to wait on him to-morrow morning.

[The EARL of MAR] to [the EARL of OXFORD.]

1712, May 15.—My Lord, I had several letters last post from Carstares and Stirling both which agree that by the pains taken in the Committees on Wednesday and . . . the scruples relative to the o[ath] of] abjuration are considerably . . . so that a healing overture w[ill be] brought in for uniting all pa[rties.]

I also learn that there is a . . . understanding betwixt my Lord [Commis]sioner and the Assembly. Perhaps your Lordship may have more particular accounts. Only I thought myself bound in duty to signify so much to your Lordship.

Unsigned. Imperfect.

SCOTLAND—*continued.*

PETITIONS, MEMORIALS, ETC.

To the LORDS of the TREASURY.

Dame **MARY MORDINGTON**, wife to the present **LORD MORDINGTON.** Understands that their Lordships take her for another person. Her husband would have imposed the said calumny upon several persons of worth four years ago but for some friends of hers, especially three worthy peers her relations who advised her to have a petition drawn up and vindicate her honour, knowing the person her husband would have her to be was a person of no repute or birth but such as is not fit to be mentioned. Beseeches them to peruse and lay before her Majesty the annexed certificate; and the letter of the Earl of Mar (*not here*). [1705.]

Enclosure.—Testimony that the present Lady Mordington is by her birth descended of some of the quality of the kingdom of Ireland, as well of her father's side being Dillon of Balgath, county Meath, whose predecessors was (*sic*) Lords Chief Justice of the Common Pleas in Ireland and hereditary Attorney General; besides several other Lords Dillons of the same family as the Earls of Roscommon the Lord Viscount Castillo: and of her mother's side being daughter to the ancient noble house of Bealagh of Monasty, whose wife was Mary Fleming, daughter to the Lord of Kane, whose two noble families of Kane and Monasty are joined in blood to the Earl of Kildare, Earls of Fingal, Marquis of Antrim, Lords of Westmeath, Earls of Droghda, Lords of Gormonston, Kingsland, Hoath, Dulak, and other ancient Chief Lords and Lords of the Kingdom. In witness of this our testimony of truth we do here subscribe our names as also that we are entirely satisfied of her just and legal behaviour in the various afflictive emergences that the said lady hath met with in the whole course of her life. Dated this 8 day of October, 1705. Power: Fingall: Belleue.

To the QUEEN.

Colonel **GEORGE DOUGLAS.** In consideration of long service and of his having been disappointed of the regiment of dragoons commanded now by Colonel William Kerr, Her Majesty ordered him 10*s.* a day extraordinary until she should provide better for him. He has long been an officer in the regiment and for many years as major has undergone the whole care and charge of managing it. Being lately informed that Sir John Johnston, lieutenant colonel of the said regiment, is deceased in Flanders, he begs Her Majesty will confer on him the said post, which will save her 10s. a day. To remove all difference upon account of precedency betwixt Colonel Kerr and him, he is willing to have his colonel's brevet altered to a later date than Colonel Kerr's. [1709 ?]

The Mint at Edinburgh.

At the trial of the *Pix*, 21 August, 1710. Silver moneys coined from 5 September 1707 to 21 August 1710 included, at 3*l.* 2*s.* the pound weight; with the moneys in the present pix.

Tale 323,106*l.* 5*s.* 8*d.*

Harley's endorsement. Received August 21, 1710.

To the Lord Treasurer.

Mr. William Drummond, warden of the Mint at Edinburgh. Upon the dimission of Mr. Charles Billingham, late warden, of that office, 1705, by reason of indisposition of which he soon after died, it was made known to her Majesty that Billingham had purchased the office, that he was married to a daughter of the Earl of Marchmont, and that he had several children and little to leave them. Upon which dimission a gift of his office being presented in Drummond's name Her Majesty was acquainted, at presenting, that there was a sum of money to be given by Drummond to Billingham's lady and children; upon which his gift of that office was signed and he entered into possession at Whitsuntide 1705 and at that time paid to Billingham 666*l.* 13*s.* 4*d.* a sum which the salary of the office 150*l.* yearly has not yet repaid with interest.

Being as warden of the mint, at London in the summer of 1707, he was appointed by the Lord Treasurer to meet the officers of the Mint in the Tower of London with a view to recoinage of the money of Scotland and putting the Mint at Edinburgh upon the same method of working with the Mint of England.

The re-coinage in Scotland was set about and from September 1707 to December 1708 inclusive there was coined at Edinburgh 320,995*l.* 19*s.* 6*d.*, which hurry of business tied the officers to constant attendance for that time and for which Drummond, as his post of warden carries with it no perquisite, has never received the least gratification or allowance.

Since the union there has been much more business in the Mint and there will be more in time coming and he hopes some addition to his salary will be granted.

Minuted. 1710, May 5. Treasury Chambers, Whitehall. This Memorial is referred by the Lord High Treasurer to the barons of the Exchequer in Scotland to consider and report on. (*Signed*) W. Lowndes.

Report of the barons recommending an increase of Salary of 30*l.* a year, for which there will be room out of the 1,200*l.* allowed by the late Act for the service of the Mint here.

Harley's docket. Received September 1, 1710.

TO THE QUEEN.

SIR ALEXANDER BRUCE, EARL OF KINCARDINE.—In 1693 he entered into contracts with the Treasury in Scotland to pay and provide forage for the army, whereby he relieved the Government from the heavy clamours of the people who till that time had been oppressed by free quartering of the troops. When he came to make up his accounts, the Treasury was found indebted to him in upwards of 4,000*l.* sterling, as appears by the minutes of the Parliamentary Commission of Accounts. Having in Parliament appeared in defence of the rights of the Crown in opposition to some laws then promoted by the violent presbyterians he was expelled the Parliament and finding his just claims obstructed by the same people he was forced to accept a decree in Parliament for 1500*l.* in place of the 4,000*l.* which 1500*l.* is not yet paid him. He applied to Her Majesty who ordered him a grant of about 2,000*l.* out of arrears owing by the Post Office of Scotland but the Earl of Godolphin would not allow the grant to pass by which means these whole arrears are now lost both to the Queen and to the Earl by the death of the debtor two years after, while he was expecting a recompence, the Queen was prevailed with by the same people to take from his son his place of Commissary of Musters amounting to about 300[*l.*] a year, and these people judging that this would be charged upon them as an unseemly hardship upon petitioner obtained him a small pension but this gift was rejected by the then treasurer depute of Scotland because it had not been offered to the seals within half a year after it had passed the Queen's hands, though this formality has been dispensed with in other parallel cases. This place of Commissary of Musters is now possessed by one Mr. Rutherford, an obscure man of no manner of friendship or interest, who never was or can be capable any manner of way to serve the Government. The Earl has made application craving recompence for these debts owing to him and in order to it has moved that his son may be restored to his place of Commissary of Musters: but he is since informed that Rutherford does only possess one half of the pay of that post being accountable for the other half to Sir Gilbert Eliot, a member of Parliament. The Earl is hopeful that her Majesty will not grudge so small a post to his family which has suffered so much, but considering his son has been put out of the road of other business by following that charge, it is proposed that his son may have it with the same burden that Mr. Rutherford has it.

Harley's docket. Received October 6, 1710.

[*Cf. Calendar of Treasury Papers*, 1708-1714, *p.* 289.]

SIR HUGH DALRYMPLE OF NORTH BERWICK, PRESIDENT OF THE SESSION OF SCOTLAND. In the settlement of the establishment of the Lords of Session after the Union there appears to have been a mistake made in regard to petitioner's salary, which is left as before, whereas by Her Majesty's letter to the Lords of Session it is evident that Her intention was that he should have an addition of 500*l.* a year, as he has already set forth in a Memorial to the Lord Treasurer. [*See Calendar of Treasury Papers,* 1708-14, *vol. cxii, No.* 30]. Prays that the mistake may be corrected.

Minuted. 1710 October 9. Whitehall.

Her Majesty is pleased to refer this memorial to the Lords of the Treasury to consider and report on. Queensberry.

Oxford's docket. Received October 17, 1710.

Another copy of the above Memorial.

Lord WANDELL. Her Majesty granted him a pension of 200*l.* out of the Scots' Treasury for nine years from Michaelmas 1705, but he has never received any of it; the terms which had run before the Union being stated on the last class of the Equivalent, he has very uncertain hopes ever to be paid. The barons of the Exchequer in Scotland declared the years subsequent to the Union to be a debt on the Crown, not affecting the Equivalent but the Treasury of Great Britain. Begs that she will give directions for payment of the years due since the Union and for securing those to come. Desires this more earnestly at this time because it will enable him to procure an advancement in the troop he now serves in. [1710 ?]

The Case of SIR JOHN MALCOM of Innestill, son to the deceased JOHN MALCOM of Balbede, touching his right to the office of Chamberlain of Fife.

In 1692 (*sic*) his father obtained from King Charles I a gift of the said office, for life, with an allowance of a yearly salary of 200 pounds Scots money, 2 chalders of Wheat and 2 chalders of Bear Barley; about which time another person surreptitiously obtained another gift of the same office. His Majesty being informed of it wrote immediately with his own royal hand to the exchequer in Scotland forbidding them to pass any other gift of this office and to expedite John Malcom's gift. He continued to exercise this office until Cromwell's usurpation.

Upon the restoration of King Charles II, his father was restored to the office and in 1664 obtained a new grant confirming the grant of Charles I to him for life, and granting further the survivorship of the office to petitioner, his eldest son, for life. His said father continued to execute the office until 1682 at which time the Test was appointed to be taken by all persons in public Trust. His father took the Test in other capacities but not as Chamberlain of Fife because neither the first Act of Parliament nor the additional Act wherein were enumerated all persons who were obliged to take it made any mention of Chamberlains; on the contrary when the question was moved in Parliament whether Chamberlains were included in the Act it was declared that they were understood to be the King's menial servants and consequently not comprehended within the meaning of the Act. Upon which the said John Malcolm thought himself secure because he had taken the oath in other capacities. However Mr. George Bennerman clandestinely procured a new gift of the office upon pretence that it was legally void because the said John Malcolm of Balbede had neglected to take the Test as Chamberlain of Fife. The latter opposed the passing of this grant and gave in a representation of his right to the Privy Council. King James, at that time Duke of York, being then in Scotland, was so fully satisfied of the justice of Mr. Malcolm's cause that he ordered in Privy Council a stop to be put to the passing of Bennerman's grant but as soon as the Duke was gone for England Bennerman moved again to have his gift passed and by the influence of some great men obtained an order of the Privy Council remitting the cause to the Lords of Session : by his interest with some of the judges Bennerman procured a sentence that Malcom was obliged in the quality of Chamberlain to take the Test and not having done so within the time his gift was void and Bennerman's title good. By virtue of this sentence Bennerman exercised the office for some time but King James was no sooner informed of the injustice than he wrote down a letter to the Privy Council to reinstate Malcolm.

After the late Revolution, Mr. Malcom being very old and infirm and having scruples about taking the oaths to King William, a new grant of the office was procured first by one Mr. Mackertney and afterwards by Sir John Dempster both which were only during pleasure ; Dempster exercised the office until the death of the said John Malcom of Balbede which happened soon after the death of King William. Upon her present Majesty's happy accession the present Sir John Malcom, son to the deceased, having qualified by taking the oaths, conceived that his father being dead his right to the office of Chamberlain was to take place by virtue of the grant of King Charles II, sent up a representation of his case to one of the Secretaries of State to be laid before the Queen, praying that she would prohibit any other grant of the office and would recommend to the Privy Council in Scotland to put him into possession of it. But soon after a new grant of the office was made to Earl Rosebery in opposition to which petitioner took out a process before the Lords of Session declaring his right to the Office and praying the grant to the Earl might be revoked. Although his father had failed to qualify for the office and for that reason exercise of the office was granted to another, petitioner's right in survivorship took place on his father's death. Notwithstanding this unanswerable argument, the Lords of Session gave sentence for the Earl. Being a lover of peace not willing to give the Paliament any trouble in the matter, petitioner chooses to have the whole affair laid before Her Majesty that she may interpose her sovereign determination between Lord Rosebery and him. [1710 ?]

MEMORIAL TO HARLEY.

MRS. LOCKHART. The late Queen left under her hand a desire that all her Bedchamber Women should have a pension of 300*l.* each for life or until otherwise provided for, and accordingly they were put upon the Establishment.

At the late King's death, there were only petitioner and Mrs. Cason unprovided for, the rest having received 3,000*l.* in lieu of their pensions.

On the new Establishement made on the present queen's accession to the throne petitioner's pension was reduced to 200*l.*

Since the death of Mrs. Cason, Mrs. Lockhart remains the only one of the late Queen's Bedchamber women not otherwise provided for and her pension having been some years in arrear at the King's death she hath been a sufferer. Prays that 100*l.* of Mrs. Cason's pension may be added to hers.

Endorsed by Harley. October 22, 1710.

SECRET SERVICE.

1710. October. To be paid by Spencer Compton, esquire.

To George Middleton, for a letter of credit given to Earl of Dunbarton	300*l.*
To Henry Allen	200*l.*
Paid to Mr. Cockran as so much of the pension of the late Earl of Kincardine.	
To David Campbell	100*l.*
This sum was for Lord Rutherford. Paid by Mr. Lowndes.	
To Earl of Cromertie	300*l.*
To Lady Duffus by hands of Lord Duffus	200*l.*
Sums to be paid out of the 3,000*l.* for secret service by letter dated 16 October, 1710.	
For Lord Duffus, County	200*l.*
,, Earl of Cromertie, County	300*l.*
,, Earl of Dunbarton, County but to be abated in the commencement of such pension as Her Majesty shall settle on him.	300*l.*
For Lord Rutherford, County to be paid to Lord Blantire for him.	100*l.*
For several persons in Scotland	2,000*l.*
	2,900*l.*

Memoranda by a Treasury clerk whose name does not appear.

Sir David Dalrymple was paid by Sir David Nairn.

In December 1708, 500*l.* and in September 1709, 500*l.* Sir David Nairn says those sums were for his journeys in each preceding year and what is now desired is for his last year's journey.

Lord Wandell's memorial sets forth that 200*l.* a year was granted to him for 9 years out of the Treasury in Scotland from Michaelmas 1705 and prays that the terms past, and to come since the Union may be made effectual. By an entry of the debts on the Equivalent 600*l.* appears to be stated thereupon for his Lordship so there may be some mistake in the Memorial as to the commencement but if it be right in all other parts there may be reckoned to have incurred since the Union, for 3½ years, 700*l.* and the annuity will be payable for 2½ years from this time.

Mr. **Henry Walker** and Mr. **George Barclay**, two Episcopal ministers pray to be put into Her Majesty's Charity Roll for such allowances quarterly as Her Majesty shall be pleased to settle on them : and in the meantime that she will give them a sum of 50*l.* now remaining in the Receiver General's hands of the late bishop's revenues in Scotland.

Mr. Borrett, solicitor of the Treasury, says he never paid any thing on account of the late Lord Griffiths' reprieves but that his own friends took care of that matter : and they say at the Secretary's Office there were no fees paid, only the charge of the stamps 4*l.* on every reprieve.

Isaac Bobin represents his service in the late reign by way of private intelligence to the Secretaries of State and that the late king had intention of settling a pension upon him but died before the same was effected : that by his said services he is reduced to great necessities and prays Her Majesty to grant him a pension of 8*s.* a day in Ireland to support himself and family.

Docketed. 20 November 1710.

Fees of the Signet.

Statement of fees of the Signet in Scotland for 5½ months from 15 June to the end of November, 1710, amounting to 573*l.* 17*s.* 5½*d.*

Petition to the Lords Commissioners of the Treasury.

Walter Boswell counterwarden or controller of H.M. Mint at Edinburgh. For several years he has executed the office with the small fee or salary of 60*l.* only, but since the Union the said mint being put as near as possible in the same order and method with the mint in the Tower an additional office, being also weighter and teller, has been put upon him causing him more trouble and attendance. Now by her Majesty's order an Indenture is preparing betwixt her and the Master of the said Mint whereby there is to be further added upon him the office of surveyor of the meltings, which two officers of weighter and teller and surveyor of the meltings are separate and distinct offices by the Indenture of the Tower, lodged in separate officers and have separate and distinct salaries. The small allowance of 60*l.* is now no longer suitable to the character of his office with these new additions. Prays his lordship will order him not only a fit reward for executing the said order of weighter and teller these three years past but also such additional salary to be added for him in the schedule of the said Indenture as his lordship shall judge suitable to the office of counterwarden or controller and the two additional offices put upon him. *Docketed.* 1710.

CIVIL LIST, SCOTLAND.

A near conjecture of the expence of the Civil List in Scotland besides the Court of Exchequer and gratuitous pensions. Total, 14,495*l.*

Docketed. Public Expence. 1710.

THE MINT AT EDINBURGH.

List of the present offices and salaries in THE MINT at Edinburgh.

The sum of the above expense extends to 11,000*l.*

By the Act of Parliament for continuing the coinage duties The Lord Treasurer or Commissioners of the Treasury are allowed to pay out thereof for defraying the charge of the Mint at Edinburgh 1,200*l.* sterling yearly.

So there remains 100*l.* to be disposed of as Her Majesty wishes. *Docketed.* State of the Expence of Her Majesty's Mint at Edinburgh. 1710.

Draft of a Warrant of the QUEEN to the COMMISSIONERS of the TREASURY, the HIGH TREASURER and Commissioners of the TREASURY, and to the barons of the EXCHEQUER in Scotland to pay to ——— Cockran, Esquire, out of her revenues in Scotland in the hands of the Receiver General of her lands, rents, and casualties in Scotland, an annuity of 250*l.* from Michaelmas last during her pleasure. [1710 ?]

MEMORANDUM [by a Treasury clerk whose name does not appear]. This pension is to be esteemed as a moiety of a pension formerly enjoyed by the late Earl of Kincardine, though not proper to be expressed in the warrant.

Query how Lord Hyndford's and Lord Carmichael's pensions formerly granted and paid.

GIFTS AND GRANTS.

List of all Gifts and Grants out of the Revenue of Scotland from 8 December 1688 to 24 November 1708.

[1710 ?] 34 *pp.*

GRANTS OF PENSIONS.

To :—

JOHN, EARL HYNDFORD : 400*l.* sterling out of the rents of Ross and Ardmanoek, during pleasure. Registered 12 August, 1702.

ALEXANDER, EARL OF KINCARDINE : 500*l.* sterling, during pleasure. Registered 5 September, 1705.

EARL CRANFORD'S CHILDREN : 150*l.* sterling yearly, during pleasure. Registered 1 December, 1705. [1710 ?]

Petition of JAMES, EARL OF MORTON, and merchants and others of LONDON concerned in the Fisheries and Trade of Orkney and Zetland, to the QUEEN, setting forth that those isles being the most northern point of and remote from Great Britain and the communication between them much obstructed by a dangerous sea, though very advantageous for protecting from storms and enemies the ships that trade to Greenland, Russia, Iceland, the Baltic, and in time of war to both Indies, by many safe and commodious harbours, particularly Brasey Sound where several thousand sail may ride with the greatest safety : that the coasts are most plentifully supplied with herring, cod, and ling, and the best situated for those fisheries of any places yet known in Europe, as is evident from the constant resort of the Dutch thither in the fishing seasons, the great importance of the said trades and fisheries, it is presumed, induced his late Majesty King Charles II in the Dutch war to build a fort and settle a garrison in Brasey Sound whereby many ships were then protected and for want whereof the inhabitants of the islands and many other of Her Majesty's subjects and many ships of her allies that trade that way have greatly suffered by French privateers in this war and are still exposed to the same depredations, advice being brought by a ship lately arrived from Shetland that several French privateers were on that coast who within two months last past burned three ships and taken five others in Brasey Sound, who came on shore, carried off the people's cattle and other provisions for victualling their privateers, and put the inhabitants under contribution ; these mischiefs and damages may be prevented for the future by repair of the said fort.

Copy. Undated.

Harley's docket. Received February 28, 1710-11.

Report of ORDNANCE OFFICE on the above petition, referred to them by the Queen's order of 20 August last, that they cannot give any judgement as to the advantages that may accrue by the fisheries in those parts but, as they are informed that the fort may be repaired for 1,000*l.* a very small sum considering the proposed advantages, steps may be taken, if she approve, to prepare an estimate for repair of the same. *Docketed as above.*

SALT IN SCOTLAND.

Memorandum (with an appendix in Crookshank's handwriting) relating to a great quantity of Portuguese salt imported into Scotland before the Union at a very small duty and after the Union passed as French salt to obtain the drawbacks allowed in the Act of Union on French salt.

Harley's Docket. May 16, 1711. 10 *pp.*

JOHN SHORT, accountant and inspector general of customs in Scotland to the LORD HIGH TREASURER.

1711, June 16.—By a modest computation there is taken in the rivers of Forth and Clyde, the islands of the Lewis, and other places in that part of Britain, 3,000 lasts of herrings yearly, which are exported; besides of codfish and salmon very considerable quantities, whereon drawbacks are allowed on exportation, paid out of the excise duty of 6*s.* 8*d.* per Winchester bushel on foreign salt imported. Proposes whether it would not be to the advantage of the nation if the duty on foreign salt used in curing fish be taken off.

Docketed. The fishery of North Britain considered in relation to the drawbacks thereon and the duty on foreign salt imported.

Petition to the QUEEN.

THE EARL of CROMARTIE. Having served her and [her] royal ancestors above 50 years in several of the chief employments in Scotland with this not very common character in all that time he hath not added 50 guineas to his estate, he adventures to propose that his family may have some fixed mark of the royal favour and beneficence.

His eldest son the Lord Macleod holds lands of the Crown which pays above 300*l.* yearly rent to the Queen; may it please her to shew her favour to his family by such a lease thereof as accords with law and her royal pleasure.

Petitioner hath an unfortunate child who was married to a more unfortunate husband, a judge in the High Court of Justice, who died leaving her and four children without the value of one shilling to live on: it would be charity if Her Majesty should dispense some pittance to them.

With all due humility he claims in two other points (1) that 3,500*l.*, or thereby, due to him by debentures for bygone services may be paid him. Not one officer who served in the late ranks with him was left unpaid of his due, while he was left to grope (hitherto unsuccessfully) for his first debt in the confused mismanaged funds of the Equivalent. It is true that his debentures for the most part bear interest yearly but that cannot supply the necessitated debts which he did contract in and by the Queen's service. His coming up at this time and staying 22 months though of little or no use to the Queen, hath been of too much expense to him: he had a positive command for coming up with a promise of paying his expenses. This is his second just claim.

Oxford's docket. Received June 26, 1711.

Enclosure. The Earl's humble complaint. Though he will not repine yet he does regret that being so long in service from childhood to old age he should be the almost only one who shall go off without retaining any mark of that kind which all others have. Hopes not to be reproved for wishing that he may have some mark of the royal favour. Lord Melvill on some things which passed in his ministry as patronages and some other concerns of the Crown was removed, but to a higher station, to be Lord President with a considerable pension. Lord Carmichael, when removed after a year and a half's service only, had a regiment of dragoons in Scotland to his death, and 400*l.* of yearly pension also. The Earl of Seafield was removed from being Secretary to the Lord Chancellor and had a good pension on removal, but on complainant's removal he had not a parting favour.

OFFICE OF HIGH CHAMBERLAIN.

Proposals, in view of the prospective advantages to Britain of the fishing trade in Scotland, that the office of HIGH CHAMBERLAIN there be granted to seven chamberlains and its powers enlarged so as to regulate that trade.

Unsigned. 4¼ *pp. Oxford's docket.* To be sent to Mr. Baron Scrope for his opinion July 11, 1711. To be kept private.

Observations on the proposals. *Unsigned.* 2¼ *pp.*

Petitions to the QUEEN.

ROBERT LEE, esquire, executor in trust for the younger children of the EARL of STIRLING deceased. The Earl being proprietor of a large tract of land in America comprehending the greatest part of the province of New York and an island known by the name of Long Island, did in or about 1663 release unto Her Majesty's father, then Duke of York, all his said interest and deliver up all patents and deeds relating to the same, in consideration of 3,500*l.* to be paid to him. On 10 November 1674—no part of the purchase money being paid—his Royal Highness granted him for life an annuity of 300*l.* a year out of the profits of the said province. The Earl died on or about 5 February 1690 and by his will left the arrears of the annuity as part of the provision of his three daughters and three younger sons and the sum due at his death with the interest thereof since amounts to 9,600*l.* By the accession of His said Royal Highness to the throne the province became part of the inheritance of the Crown and is now in Her Majesty's possession. The Earl, in his lifetime, and petitioner since the earl's death have made frequent applications for payment of the said debts and orders have been given concerning the same, hitherto without effect. Prays for payment of the debt, which is great part of the children's provision, or a re-grant of that part of the Earl's property known as Long Island, or some other equivalent.

Oxford's docket. Petition on behalf of Earl Sterlin's children. Received October 1, 1711, Sir William Trumbull.

The Marquess of Annandale. Memorial for setting forth fully his right to the stewartry of Kirkcudbright reponed to him in 1707 by the Earl of Nithsdale, heritable stewart thereof, a papist and so not in capacity to exercise the office. The Earl in 1698 disponed the office to the Duke of Queensbery, who resigned it in 1707. The Lords of Session have most justly found that the Earl, though as a papist not capable to exercise the stewartry could dispone his heritable jurisdiction as stewart in favour of the Marquess and it is with all submission expected that Her Majesty will secure him, a known protestant and most faithful subject, in the same. *Docketed* 1711.

Lady Forfar. Claim of arrears due on pensions of 300*l.* and 200*l.* granted by the late King to the late Earl of Forfar. [1711.]

[*See also Calendar of Treasury Papers* 1708-1714, *vol. clxxii, No.* 42.]

Docket by a Treasury Clerk. Lord Forfar before the Union had a pension of 300*l.* a year during pleasure. Another of 200*l.* a year for nine years from Whitsuntide 1704, towards the maintenance and education of his son Lord Wandale.

Lady Forfar allegeth that Her Majesty promised continuance of 300*l.* from the time of the Union and owns the receipt of 500*l.* from the hands of Lady Massam and 400 more from Mr. Compton. Which two sums being reckoned in part of what would have incurred on the pension if it had been re-granted from 1 May 1707 (the commencement of the Union) there may be computed to be due on 1 May 1712, 600*l.* But if 700*l.* paid at the Exchequer to Lord Forfar, late one of the Lords Commissioners of the Treasury in Scotland since the Union is placed to the account of the said pension, the same is fully paid with an overplus of 100*l.*, but this the lady reckons was given as a year's salary as a Lord of the Treasury.

As to the 200*l.* a year there hath been 800*l.* paid thereon for four years since the Union and one year more will be due on 1 May 1712, and it will expire 1 May, 1713.

Memorandum by a Treasury Clerk. There is stated on the Equivalent for arrears at the time of the Union, on the 300*l.* per annum 1,500*l.* and on the 200*l.* per annum, 600*l.* from whence it may be concluded that no regular payments were made upon pensions in Scotland before the Union.

The Earl of Forfar. Upon his coming over from Flanders he presented a memorial to Her Majesty praying to be paid arrears due to his father at his death; and that he might have his pension continued; and she gave him hopes that she would grant his request. After having most patiently waited these five months (in the greatest difficulties) he imagines his pretensions to be entirely forgot. Reminds her of the repeated assurances made to his father and since to himself of payment of the arrears which amounts to 1,400*l.* and the renewing of the pension of 500*l.* *per annum.* The debts which now press so heavily upon him were contracted by his father in Her Majesty's service and in petitioner's long though fruitless solicitation of his just pretensions, by the great expense he himself has been at in her service abroad, and by his late engagement in a new debt for the purchase of a regiment. Hopes that these considerations will entitle him to a continuance of her favour.

Docketed by the same Treasury clerk. The late earl had a pension of 300*l.* in Scotland before the Union to hold during pleasure which ceased upon the Union, the arrears thereof are stated upon the Equivalent.

He had also a grant of 200*l.* per annum for 9 years towards the education of his son, the present Lord Forfar, from Whitsuntide 1704, and there is stated upon the Equivalent for 3 years arrears due thereupon at the time of the Union 600*l.* There has been paid to the Countess of Forfar since;—

On 7 May 1711	200*l.*
On September 10, 1711, to the Earl ...	800*l.*
On September 21, 1711, to the Countess ...	200*l.*
	1,800*l.*

which is as much as can be demanded on the 200*l.* per annum for 9 years, besides what may have been paid to the Earl and Countess out of the Privy Purse.

ALEXANDER ABERCROMBIE ESQUIRE. Memorial. By the laws and customs of Scotland, the estate of bastards dying without heirs or will belongs to the Crown, and it being customary for encouragement of discovery of the like to prefer the discoverer to the whole or such part as the Sovereign shall think fit; petitioner being the first discoverer of the decease of one James Douglas, a bastard of Aberdeen, without heir or will, applied to Her Majesty by the Earl of Godolphin, then Lord Treasurer, and the Earl of Seafield for a gift of the said bastardy or 300*l.* out of the same, and they acquainted him that Her Majesty had assured them he should have the gift and desired him to give in a signature to be passed in his favour, and bond to be accountable for what he should receive of the said gift above the 300*l.*, which he did. But the town of Aberdeen pleaded to be preferred, alleging they had maintained and educated Douglas in one of their Charity Schools. In answer to this the widow of the said Douglas gave in a petition to the barons of the exchequer of Scotland, now lodged with the Lords of the Treasury, to be preferred to the town and the said Abercromby on the ground that she can prove by certificates and affidavits of the most substantial and ancient inhabitants of the town that he was never educated nor one sixpence laid out upon him by them. To her allegations Abercrombie is willing to join issue with her. As to the petition of the town, he pleads that their pretensions are groundless and therefore it will be acceptable to him to have the gift, being accountable to the widow, the town or any other Her Majesty shall think fit for what he shall make over and above the 300*l*. [1711 ?]

Memorial of the town of Aberdeen touching the same gift of bastardy.

PETITIONS to the LORD TREASURER.

Sir ALEXANDER ARESKINE, Lyon. Having his Lordship's leave he will lay before him things relating to persons in Scotland who exerted themselves for Her Majesty's service in the late elections. He may say without vanity that he had the good fortune to be instrumental in bringing into the House of Commons as many honest gentlemen as any one subject of North Britain and it is well known to all their nobility and gentry that no one had the good luck to defeat so many inveterate enemies of the present ministry as he had. But for the promises he felt warranted to give to persons capable of doing service his Lordship should not be troubled with solicitations by him but the gentlemen who were most zealous will expect to have their services taken notice of and, if they are disappointed, it will be impossible to get them to exert themselves in future elections. They do not aim at posts of great importance; they desire only to be employed in the room of creatures of the late ministry who make it their business to create jealousy of the present administration. There is one Robert Maliom he wishes could be made riding surveyor at the port of Ely or have other office where he might be very useful to stop embezzlements. There is one Alexander Colvill of Kincairn should be made collector of the customs at the port of Dundee: he has a family of 12 children. There are some few others he would wish rewarded who would be contented with small posts, tide waters and the like.

Will only trouble him further with Mr. George Mackenzie of Inchcutre a member of the House of Commons and a gentleman of as good sense as any representative of Scotland. Before he went hence he engaged the writer to represent his circumstances to his Lordship as having a small estate not able to support the expense of coming up to Parliament. Lord Mar will speak for him. He seemed desirous to be a Commissioner of Customs or Excise in Scotland. For himself, though having ten children, seven of them sons, he has been very shy of asking favours.

Oxford's docket. Received September, 1711.

John, Earl of Craford. By her Majesty's warrant, he has received 1*l.* 10*s.* a day out of the Contingencies upon the Establishment for Guards and Garrisons, etc. to 22 December 1710. But Harley not having signified his pleasure therein since 23 December 1710, petitioner prays he will give directions for payment of the same, it being in consideration of his not having the 4th troop of guards and a pension of 300*l.* a year out of the bishopric of St. Andrews. [1711.]

Petitioners to the Treasurer.

Mr. James Home of Aytoun, Sir Robert Home of Rentoun, John Rentoun of Lambertoun and Patrick Home of Bastilridge, for themselves and the other heritors of the "parochin" of Aytoun. Whereas the church of Aytoun in North Britain hath been vacant for these three years past, 1708-1710, and the church and parsonage are altogether become ruinous; and the stipend payable to the minister being very inconsiderable it must necessarily require a much greater expense to rebuild that church and parsonage than the said three years' stipend will amount to as appears by the testificate herewith (*not here*) signed by the justices of the peace of the East Shire of Berwick; and whereas petitioners are willing to advance any such additional charge as may be necessary for rebuilding and repairing the said church and parsonage and by the law and custom of North Britain all parsonages are to be kept in repair out of the vacant stipends which have ever been applied to pious uses within the parochin; they pray a commission to Mr. George Whitson, factor to the estate of Aytoun, or to such other person as their Lordships please, to uplift and receive the vacant stipend and apply the same for re-building and repairing the said church and parsonage at the sight of the justices above named. *Without date.*

Docketed 1710-11.

James Yates, trumpet. Two months ago he gave his lordship a petition on behalf of himself and his companions, her Majesty's household trumpets in North Britain, representing that since the Union they are deprived of their liveries, trumpets, fees of honour, benefices from the Commissioner representing her in Parliament, and all other casualties whatsoever; and for four years salary they were given debenture bills for which they can have no present subsistence and with which no creditor will be satisfied, and they are daily threatened with imprisonment. They desire nothing but their due for which they have Her

Majesty's gift under her hand, and the privy seal of Scotland. They had none to represent their case in Council but the Duke of Hamilton who promised them redress, but God Almighty has been pleased to remove him to the great loss of them and the whole nation. Prays his lordship will represent their case to her Majesty for he has been fifteen weeks here from Scotland. Has given two petitions to her Majesty but never had an answer.

Docketed. The humble petition of James Yates on behalf of the six household trumpets in North Britain. [1711.]

Ja[mes] Murray, George Lockhart, John Carnegy, Thomas Smith, William Livingston, Ja[mes] Murray (*sic*) and Alexander Areskin. Understanding, that the staple contracts and the methods thereby settled regulating the exportation and sale of goods of Scotland in the United Provinces is under consideration, they thought it their duty to submit how far it is consistent with the articles of Union that people of Scotland should be restricted to a particular port when those of England are not. 1711-12, January 19.

Docketed. Representation to Sir Edward Worthey.

In Oxford's hand. Received from Mr. Pringle, Feb. 28, 1711-12.

Petition to the Lords of the Treasury.

John Bruce, late collector of Kirkcaldie. On 18 July last, 1710, the Commissioners of Customs in North Britain nominated Mr. John Bethune to succeed him on account of pretended mismanagement in the said collection, nominating petitioner to be collector of Dundee. No examination was made as to such pretended mismanagements until on his petition their Lordships directed one, when depositions of two persons were taken on 30 January last and sent up to their Lordships without his being permitted to make answer or defence. He has since obtained testimony, ready to be produced, that the deponents are infamous persons and their informations false and groundless. Prays that the papers left herewith (*not here*) may be examined and he restored to his collection of Kirckcaldie. [1711.]

Memoranda for Mr. Moore.

For Lord Bellenden. When Lord Godolphin was treasurer the Queen promised his Lordship that his father's pension of 200*l.* a year should be continued to him : she has since promised that the warrant, though not yet signed, should be drawn up so that he should receive from the time it was first promised. You are to speak to the Lord Treasurer and give your opinion on this matter. [1711 ?]

For [Mary], Countess of Dalhousie. At the late Lord Bellenden's death, 400*l.* of his pension was unpaid, which Her

Majesty granted to the Countess (his lady) under the Great Seal of Scotland, but as yet she has not been able to obtain any part thereof. You are also desired to speak to the Lord Treasurer and give your opinion on this. [1711 ?]

Docketed. For Mr. Moore.

Two entries on the same sheet in the same hand.

LADY DALHOUSIE. Her allowance of 200*l.* a year is paid to Christmas 1710. She has since received 100*l.* by way of bounty. What Her Majesty thinks fit to direct for her may be ordered on what is due on her pension since Christmas 1710 and be paid out of 1,500*l.* weekly, which Mr. Compton is receiving to clear all arrears in his office [1711]. *Memo without signature.*

Abstract of reports from the barons of the exchequer in Scotland on memorials for GIFTS and DISCHARGES. [1711.]

EARL OF ROSEBERY represents that he is equitably intitled to a pension of 158*l.* 6*s.* 9*d.* out of the lordships of Fife and Strathern and has acted as chamberlain of Strathern for several years without any salary. Prays 1,500*l.* in lieu of his pretensions to the said pension and salary from the time that his salary of 300*l.* per annum commences by virtue of his commission to be Chamberlain of Fife. A warrant is prepared for this purpose if Her Majesty agrees.

EARL OF STRATHMORE. Petition Report of the barons of the Exchequer and draft of a warrant discharging him of his retour'd and taxtward duties till he arrives at the age of 21 years—amounting to about 846*l.* 14*s.* 5¾*d.*

MARQUIS OF LOTHIAN. Petition, Report, and Draft, of a warrant for discharging him of eight year's few and blench duties of 65*l.* 8*s.* 0½*d.* per annum from 1 July 1705 to 1 July 1713, amounting to 523*l.* 4*s.* 4*d.*

EARL OF MARCHMONT. Petition, Report, and draft, of a warrant for discharging him in his accounts as sheriff of the Shire of Berwick for 21 years from 1689 of a sum of 397*l.* 14*s.* 8¾*d.*

SIR ALEXANDER DOUGLAS, collector of the rents of the bishopric of Orkney. Prays allowance of 30*l.* per annum for a deputy; 14*l.* 16*s.* 8*d.* for charges of quartering soldiers on him for the cess; and 5*l.* per annum for three years paid at Edinburgh to prevent quartering. The barons of the exchequer report why they cannot allow the said cravings but are of opinion for reasons therein mentioned that Her Majesty may be pleased to warrant the allowing thereof according to the form by them proposed yet say that if the present form of collection be continued the whole profit of the bishopric will be swallowed up by management. 209*l.* 16*s.* 8*d.*

DOCTOR GEORGE OSWOLD. Petitions to be discharged from 256*l.* 2*s.* 10*d.* which he is liable to as one of the cautioners of Charles Murray late a tacksman of several branches of assize.

The barons report it reasonable he should be discharged. 256*l*. 2*s*. 10*d*.

Duchess of Hamilton, heritable keeper of Holyrood House. Memorial, Report, and Warrant, for paying to her 324*l*. 6*s*. $4\frac{8}{12}$*d*. due to her on a fee or allowance to Whitsuntide 1714 and for placing the same on the Establishment from that time. 324*l*. 6*s*. $4\frac{8}{12}$*d*.

Sir Thomas Kennedy and partners pray to be discharged from 369*l*. 2*s*. $5\frac{1}{2}$*d*. on their account as tacksmen of excise in Scotland from 1691 to 1695 for reasons mentioned in their petition. The barons report it reasonable.

James Anderson Esquire petitions to be allowed 41*s*. 13*s* 4*d*. payable to Her Majesty by the name of tack duty for the lands of Ilay in Scotland for 18 years from Whitsuntide 1707 in consideration of 740*l*. resting unpaid to him of 1,040*l*. which the parliament of Scotland addressed Her Majesty to bestow on him for publishing and describing the charters, seals, coins, and medals of Her Majesty and her ancestors in that kingdon. The barons report it reasonable. 750*l*. (*sic.*)

Sir Alexander Ramsay. Petition, Report, and Draft Warrant, for discharging him of the retour, marriage, relief, non entry, and other duties due to him on his being infeffed in the lands and barony of Balmain in the shire of Kincardine as heir to his late brother Sir David Ramsay extending to 68*l*. 18*s*. $0\frac{2}{3}$*d*.

Mr. McDonald. Petition, Report, and Draft Warrant, to allow to him, his heirs and assigns 108*l*. 6*s*. 8*d*. which he was obliged to pay to the late Earl of Argyl notwithstanding his estate chargeable therewith was possessed by the Crown, and to discharge him of the few duties due to the Crown.

Commissaries of the Army in Scotland. Petition, Report, and Draft Warrant, for letters under the privy seal of Scotland for allowances to them extending to 297*l*. 17*s*. 11*d*.

Alexander McKenzie. Petition, Report, and Draft Warrant, for a gift under the said seal discharging him of the non-entry and other duties due for the lands and barony of Lovat, extending to 756*l*. 0*s*. $4\frac{1}{2}$*d*.

William Spense and Jean Alexander (now wife of John Hay). Petition, Report, and Draft Warrant, for allowing to them the sum of 324*l*. 11*s*. 2*d*., balance of an accounts of William Spense, deceased, late Receiver of the Bullion in Scotland. 324*l*. 11*s*. 2*d*.

James, Earl of Bute. Warrant for the Queen's signature for granting to him the lands, earldom, and barony of Bute upon his own resignation, the few duties formerly payable to Dunbarton Castle out of the isles of Bute and Comray upon the resignation of James, Duke of Montrose. The barons report that they find the same to contain a *novo damus* and erection of the said lands into an earldom and barony and a change of holding from few to blench, and that nothing remains to the Crown but a blench duty of 1*d* Scots.

CAPTAIN JAMES MOODIE. Petition, Report, and Draft Warrant, for a grant or lease to him of all Her Majesty's lands within the towns of Osmondwall, Kerbuster Wards, Fea Aith and Manklet, within the parish and island of Walls in Orkney, belonging to the late bishop thereof, for the term of three 19 years, as likewise the few duties of his own lands : he paying for the first 19 years the full rent of such of the said lands as are presently possessed and of his few duties : and for the 20th year and thereof during the remainder of the term the full rent of all the said lands and his own few duties, with power to build houses and divide and enclose as he shall see convenient.

BARONS OF THE EXCHEQUER IN SCOTLAND. Representation and Draft of a warrant for advancing 529*l*. 17*s*. 4*d*. one half of 1059*l*. 14*s*. 8*d*. proposed to be laid out in repairing Her Majesty's Palace of Holyrood House. 529*l*. 17*s*. 4*d*.

MR. HOPE of RANKEILLER. Report of the barons and draft of a warrant for a charter for a grant of the lands and barony of Rankeiller over, with the teynds and pertinents, as also the lands of Easter Fernie at a rent of 10 merks sterling, with the teynds and pertenents of the same, all lying within the sheriffdom of Fyfe. Likewise a grant of conversion by Her Majesty to the said Mr. Hope in life rent in fee of the few farm duties of victual, payable of the above lands, at the rates and prices to be filled up in the blanks of the signature. The barons report that though such conversions have been granted yet, being of the annexed property, in strictness of law they are not valid.

MR. JAMES SMITH. Petition, Report, and Draft Warrant, for paying him 200*l*. salary as Surveyor General of the Works in North Britain for the year's 1708 and 1709.

JAMES HOUSTONE. Prays to be allowed the sum of 155*l*. 13*s*. 0*d*. which he retained out of his intromissions with the bullion while collector of Newport Glasgow to compensate an equivalent sum due to him for an arrear of salary as collector at Edinburgh from March 1703 to November 1704, at 100*l*. per annum. The barons report the allegations of his petition true.

Enclosure. A separate small list of twelve names each with a number attached totalling 3,450 presumably pounds but this is not stated.

Note of particular gifts to private persons out of bishoprics in Scotland.

To the Earl of Selkirk out of the bishopric of Edinburgh	1733*l*. 6*s*. 8*d*.
To the Earl of Galloway out of the bishopric of Galloway	1397*l*. 3*s*. 2*d*.

To the Earl of Stair out of the bishopric of Galloway	2462*l.* 14*s.* 4*d.*
To the Duke of Athole out of the bishopric of Dunkell	600*l.* 0*s.* 0*d.*

Docketed 1711.

THE COMMISSARY IN SCOTLAND.

Last page of an estimate of the pay and perquisites of the COMMISSARY IN SCOTLAND, amounting to 492*l.* yearly.

[*Note.*] The troops lie in a circuit of at least 400 miles: and these troops must be mustered six times a year.

Docket. Scotland 1711.

CUSTOMS IN SCOTLAND.

JAMES ISAACSON Esquire. Memorial. Reasons offered why the Revenue in Scotland ought to produce 30,000*l.* with an overplus towards payment of the debts: shewing causes why it does not. [1711 ?]

Enclosure. Tabular statement of the revenues and income of Scotland.

EXCISE IN SCOTLAND.

[THE EARL OF MAR] to the EARL OF OXFORD.

[1711 ?] The Cash Keeper of the Excise in Scotland is broke and gone off. I am intreated to speak in favour of one Mr. Cadle, a writer at Edinburgh, a very clever, mettled, fellow and I am sure could do that business very well.

Oxford's docket. Recommended by Earl Mar but Mr. Gregory was appointed before I received this.

NAVIGATION ACT.

Draft of a clause proposed for amending a false construction placed by legal subtilty on some words in the Navigation Act of 12 Car: II, that foreign built ships should not enjoy the privileges of English ships in trades mentioned in the Act. [1711 ?]

WARRANT of the QUEEN.

Whereas by letters of privy seal dated —— day of January 1709 we did authorize you the barons of the Court of Exchequer to make leases of such teinds in Scotland as then were or should from time to time be in our hands, for any term not exceeding nineteen years, at a fine of three year's value; and whereas it hath been represented to us that very few leases have been made pursuant to our letters because we have not therein ascertained any time from whence such leases should commence: our will is and we hereby comand you to give such commencement to such renewed tacks or leases of teinds as you shall think most proper for the advancement of our revenue. [1711?]
Copy.

Petition to the HOUSE OF COMMONS.

ROYAL BURGHS IN SCOTLAND. Being before the Union one of the three estates of the Parliament of Scotland they had many great privileges especially the sole liberty of all foreign trade and on that account were subject to the payment of the sixth part of all public supplies granted by Parliament to the Crown, otherwise they never could have answered their quota of such supplies since the common goods of the burghs were entirely appropriated for other uses. That they might exercise these privileges in their utmost extent they were, by 14 James III, Act III, in 1487, appointed to meet yearly to treat about the welfare of merchandise and their own common profit, which they have done ever since: and one of their principal common concerns has been proportioning the said sixth part. Their rights and privileges as they then stood are appointed to remain entire after the Union.

The convention of burghs in July last having according to custom proportioned the supply and made some small alteration for the ensuing year, the representatives of 3 or 4 burghs, feeling themselves prejudiced thereby, without waiting according to custom until the next convention to obtain redress had a case printed and dispersed at London greatly misrepresenting the proceedings of the Royal Burghs and a petition in the name of the magistrates and town council of Aberdeen was presented to the House of Commons on 18 December last for a method to be ascertained for the convention of the Royal Burghs to proportion their respective quotas of the cess of the burghs which was remitted to the committee of the whole House upon the Land Tax Bill and the next day a clause was added to the Bill and approved whereby the liberty of the convention is considerably altered and their rules impaired. For these considerations and many others an extraordinary convention met at Edinburgh who unanimously disclaimed the facts laid down in the case dispersed at London, desiring that their members in parliament would find some legal redress; and sent one of their own number to solicit that affair as being of the last consequence to their privileges. They submit as a remedy for this that in any money bill yet to be passed a clause be added empowering the stent masters, who are to take up the value of the houses, tenements, and hereditaments, in the Royal Burghs, to take up also the condition of the trade and traders in the burghs to be reported to the next convention at Edinburgh in July 1712.

Oxford's docket. Received from Sir William Johnson, March 12, 1711-12.

MEMORIAL to the QUEEN.

JAMES LINDSAY, lieutenant of H.M.S. *Portland.* In March 1704-5 he obtained her letter to serve in the *Ipswich,* which was continued to him on board the *Bedford* to March 1707 when he was made a midshipman on the *Defiance* and served in her and the *Burford* to April 1710. Having then passed for lieutenant he made application to the Lords of the Admiralty but was not made lieutenant until May 1711 when he obtained a commission as lieutenant of H.M.S. *Lizard*, being removed in July following to the *Portland* where he now is. Prays he may have command of one of Her Majesty's small ships.

Oxford's docket. Recommended by Earl Loudoun, April 25, 1712.

MEMORIALS etc. to the LORD TREASURER.

ANDREW KINEIR, late clerk and housekeeper of the Scots' Secretaries Office. Having laid before the Queen and His Lordship petitions setting forth his long services before the Union and that he is cast destitute of his offices by it, he now only proposes what may most easily be done for him—that he be admitted a clerk for serving jointly in Scots affairs under his Lordship and the Secretary of State. This may be done by giving him a commission of deputation under the Keepers of the Signet here. Explains the arrears which he insists for in his petition. His being made to qualify himself by signing the abjuration was with a view of being continued under that pay until at least further provided for and it is unheard of to cause a person to take oaths as having a place from the Government and never to pay him anything after his so doing. Not one of the sixty Scots noblemen and gentlemen that did so qualify themselves at that time before the Privy Council has been so hardly used.

Oxford's docket. Received March 17, 1711-12.

MARQUESS OF ANNANDALE. Having been appointed a Commissioner of Chamberlainry and Trade in North Britain, he conceives his allowance as such is too inconsiderable for the same; and having always acted with the greatest steadiness and loyalty in several posts of the highest trust and honour he presumes his services entitle him to equal favour and encouragement from Her Majesty with other Lords of his quality. Prays Oxford to intercede with her that his salary as First Commissioner of Chamberlainry and Trade may be appointed 2,000*l.* a year.

Oxford's docket. Received May 30, 1712.

[JAMES] ANDERSON'S CASE.

Memorial complaining of the long delay in settling his claim for what is due to him in respect of his employment by the parliament of Scotland to publish the charters, seals, coins, and medals, of Her Majesty and Her Royal Ancestors.

Oxford's docket. Received June 2, 1712.

[*See also Calendar of Treasury Papers*, 1708-14, *vol. cxxxi, No.* 56.]

1712, June 4. Report to the Queen by J. THURSTON, DEPUTY JUDGE ADVOCATE, on a petition of Captain ROBERT CUNNINGHAM referred to the general officers of the army by order in council of 23 May last.

Petitioner sets forth that he and Captain Peter Beauvoir being on service together in Spain, Beauvoir in the royal regiment of Fusiliers and he in Brigadier Windsor's regiment, Beauvoir for valuable considerations exchanged his company for Cunningham's; but coming afterwards to England he took advantage of petitioner's absence and by false suggestions obtained a report from the general officers to her Majesty upon which petitioner was dismissed the service.

In the presence of both parties, the general officers have fully examined the petition and report that soon after his arrival in England Beauvoir complained to her Majesty of having been imposed in the matter of the exchange and this being referred to their examination they finding that, by her Majesty's reducing the regiment from 13 companies to 12, Beauvoir had no company to come to and having no other information at the time, they gave it as their opinion that he was of right the officer of the Fusiliers. Upon which she gave order for removing Cunningham. At their present meeting however, being attended by Lieutenant General Carpenter and other general officers from Spain acquainted with the whole affair, the true state of the matter appears to be this. The privates of Windsor's regiment were by Lieutenant General Stanhope's order reduced on 19 December 1709 and in February following (though the agreement is dated December 23) Beauvoir, with the approbation of Carpenter, then chief officer upon the place, consented to an exchange with Cunningham. The sum to be paid in hand was actually received by Beauvoir, the company delivered by one to the other, and Beauvoir received two month's subsistence for them and gave discharges for the same as a captain of the regiment. It appears also that upon her Majesty replacing this regiment there were but twelve companies allowed to it from 23 December 1709 but by Beauvoir's own confession Mr. Walpole then Secretary at War gave him notice of a vacant company in the regiment in September of the same year, the time he exhibited his complaint to her Majesty, for which vacant company Mr. Walpole offered to procure him a commission to make up for his disappointment: but he refused. They are of opinion that Beauvoir ought to stand the chance of his agreement which could in no way be seen by Cunningham to be hazardous. That Captain Cunningham and not Beauvoir has right to the company in the royal regiment of Fusiliers.

But as Beauvoir's cases seems to have so much of hardship in it (though chiefly due to his own indiscretion) they agree to recommend him for the first company which shall fall in in Brigadier Windsor's regiment.

Docketed. Copy of a report made to Her Majesty by a board of General Officers June 4, 1712.

Captain WILLIAM CLIVLAND'S Case. 1. In 1689, at the battle of Bantry Bay, he commanded a prize which he fitted as a fire-ship and behaved so well as he had the admiral, the Earl of Torrington's, thanks and was that year made lieutenant of the *St. Andrew.*

2. In 1690, at the battle of Beachy, he was lieutenant of the said ship, where his behaviour was so well approved of that in 1691 the present Earl of Orford made choice of him for his second lieutenant and towards the end of the year gave him the command of a sixth rate in which he continued two years.

3. In June 16 he was made captain of the *Portsmouth galley,* a fifth rate, where he behaved so well by taking of several privateers (some of equal force) that the Earl of Orford removed him in June 1695 into the Medway where in nine months he took in the Soundings nine French privateers from 20 to 50 guns. In 1696 he delivered into the prisons of Portsmouth, Plymouth, and Kinsdale, 2000 French prisoners, and was made captain of the *Yarmouth* until the peace.

4. During her Majesty's reign he has commanded H.M.S. *Mountagu, London,* and *Suffolk,* in which he served during the War. In 1702, in the *Mountagu* he went to Newfoundland with Sir John Leak where he took and burned for his own share 8 of the 130 sail taken by that squadron.

5. In July 1704 he was at the taking of Gibraltar where he had the thanks of Sir George Rooke.

6. In August 1704, he was at the battle of Malaga and had Sir George Rooke's thanks for his behaviour in that action.

7. In May 1710 above Sicily in the Straits he took the *Gaillard,* a French man-of-war of 56 guns where he had 83 men killed and wounded and the French about 70.

8. He has continued in the straits where he has frequently had command of small squadrons, and he renewed the last peace with the kingdom of Algiers in all which he had the Admiralty's approbation and thanks.

He has now served for 24 years without blemish and hopes for some mark of the royal favour.

Oxford's docket. Received June 12, 1712, from E[arl] Kinnoul.

MAGISTRATES of the BURGH of ELGIN. Memorial. The Burgh has always had but one parochial church called St. Giles endowed with a maintenance for two parsons but being garrisoned with English soldiers during Cromwell's usurpation, and the church not being big enough, a chapel of ease was built by the magistrates where Divine Service continued till the Restoration. The garrison being withdrawn the use of the chapel was discontinued until 1669 when there was a project to establish a third minister to officiate in it but that came to nothing. In 1680 the parish church being ruinous and great part of it falling to the ground, the clergy made use of the chapel until their church was rebuilt much larger than before and that done no further use was made of the chapel.

Soon after her Majesty's accession, upon application by several neighbouring gentlemen and inhabitants of the Burgh, they granted the use of their chapel to an episcopal clergyman but upon a representation made by the presbyterian ministers to her Majesty's advocate that they designed to make use of the chapel on Sundays ; he without hearing the magistrates ordered the chapel to be taken from the episcopal minister and the keys delivered to the presbyterian preachers which command was obeyed at once. After two or three Sundays the presbyterians discontinued the use of the chapel and locked the doors thereof whereby the chapel has been useless for nine or ten years and those of the episcopal communion have been obliged to hear service in an old ruinous house. A Toleration being now granted to those of the episcopal persuasion in Scotland, it is prayed that his lordship will give directions that they may freely enjoy the benefits intended by the Act of Toleration.

Endorsed by Oxford. Received July 8, 1712.

1712, July. London.—Draft of a receipt to be given by Walter, Lord Blantyre, heir and residuary legatee of Frances, Duchess Dowager of Richmond and Lennox, for the sum of ——— pounds, by order of the Earl of Oxford, Lord High Treasurer, in part of a greater debt due by the Crown to the Duchess on account of her estate of Aubigny in France which she resigned to King Charles II for an annuity of 1,000*l.* out of the Excise of England, which has been in arrear from Christmas 1690 to Christmas 1702, the time of her death.

HOLYROOD HOUSE, EDINBURGH.

1712, August 28. Edinburgh.—Estimate by James Smith, surveyor of works in North Britain, of expense that should be laid out in repair of Her Majesty's Palace of Holyrood House.

Total required 874*l.* 8*s.* 4*d.*

The above estimate was made without the offices such as the kitchens, stables, etc., which was then computed to require 574*l.* 8*s.* 4*d.*, but the damage sustained in the last 3 years may make the Palace worse by 300*l.* It may now be justly computed at 874*l.* 8*s.* 4*d.*

The great kitchen with the Queen's stables and the Stables in the Equire close (the roof, floor, and walls of the last being gone to the pot) may amount to 580*l.*

Signed, Ja : Smith.

Oxford's docket. Received September 10, 1712, from D[uke] Hamilton.

MEMORIAL to the EARL OF OXFORD.

Major JAMES COULT in Her Majesty's castle of Edinburgh. Had his first commission as ensign from the Prince of Orange in Colonel Douglas's regiment in September 1683 : was made lieutenant in March 1688; and in 1690 was captain in Lord Cardross's regiment of dragoons. After the reduction of that regiment, served in Edinburgh Castle and in 1704 had a brevet from her Majesty of major in the same castle and a letter to the Lords Commissioners of the Treasury for additional pay as such, which he got until the Union. Then was upon the British Establishment as major of the said garrison with his former commission as first lieutenant, the pay of both amounting to 10*s.* 4*d.* a day, to wit as major 5*s.* 8*d.* and as lieutenant 4*s.* 8*d.* a day. There is now a reduction of the garrisons appointed to bring them to that foot they were on at the Union and he is like to suffer for in the then Establishment he is only marked as lieutenant and no notice taken of his commission as major. Prays he may have his commission renewed bearing both his majority, and his being first lieutenant, of the garrison, which he conceives to be very just and reasonable having served twenty nine years and also having been honoured by her Majesty to be appointed by her letters to preside in all courts martial in North Britain.

Signed. Oxford's docket. Received September 2, 1712.

ADDRESS TO THE QUEEN.

ROYAL BURGHS OF SCOTLAND. Congratulatory address to Her on the success of Her arms: with fervent prayers to the Almighty for a successful issue of the present negotiations for peace. [1712.]

Petitions to the COMMONS of GREAT BRITAIN in Parliament assembled.

PEERS of GREAT BRITAIN and before the Union, with their ancestors for many generations, PEERS of SCOTLAND. Petitions against a bill sent down to the House, proposing that, in lieu of the 16 Elective Peers provided by the Act of Union to sit in the House of Peers on the part of Scotland, 25 peers to be declared by Her Majesty shall have hereditary seats in Parliament and be peers of Scotland. [1712.] 4 *Petitions.*

Petitions to the LORDS SPIRITUAL AND TEMPORAL in PARLIAMENT.

Sir ANDREW KENNEDY and JOHN VERE KENNEDY, his son. Upon their appeal against a decree of the Lord's of Council and Session in Scotland in favour of Sir Alexander Cuming whereby the said Lords have voided a Commission by his late Majesty under the seal of Scotland on 23 April 1697, to them to be conservators of the Scotch privileges in the Netherlands and Her Majesty's Resident for the affairs of Scotland within the seventeen provinces in the Netherlands, in survivorship, their lordships were pleased (April 19, 1711) unanimously to reverse the said decree and adjudged that the commission by Her Majesty of that office to Sir Alexander Cuming was void, and the commission to petitioners was still subsisting. Sir Andrew thereupon applied to the Convention of the Royal Burghs (from whom the Conservator is obliged to receive instructions) that the judgment be recorded in their books and that he might be reinstated in the office but Sir Alexander impowered one William Gordon, a merchant, to appear before the Convention in his name to petition the Burghs not to acknowledge petitioner as Conservator for though their Lordships had set aside Sir Alexander's first commission he had a second posterior to that decree of the Lords of Council and Session which was not voided.

Thereupon petitioners petitioned Her Majesty to confirm and renew their said commission, and Sir Alexander presented two several petitions to her, praying her by the first to give directions for ascertaining his right to the offices, and by the second to grant him for life the office of consul for Great Britain and resident for matters of trade in the United Provinces. These petitions being remitted to the Attorney General he several times appeared with counsel insisting upon his second commission and delayed any report for many months but the Attorney General by his report dated March 5, 1711-12, found that their right to the said office was still subsisting.

Sir Alexander's opposition to their Lordship's judgment has not circumscribed itself to Great Britain for by letter to the magistrates of Campvere dated April 27, 1711, eight days after their Lordship's judgment, he acquaints them that their Lordships had voided his first grant but that he had a second commission dated 26 August, 1708, constituting him conservator by virtue of which he was still conservator whereby he hath prevailed with the magistrates of the town not to regard the judgment.

They pray their Lordships to give directions for fully quieting them in their office and satisfying them for their great expense and damages sustained by this manifest contempt of their Lordship's judgment.

Enclosures :—

Memorial in support of the above.

Draft of a commission for petitioners. 1712.

Two petitions to the Queen relating to the above.

MEMORIALS to the EARL OF OXFORD.

LIEUTENANT COLONEL DUNCAN MCKENZIE. Memorial praying for justice in respect of a company raised by him for an additional company of the Scotch Foot Guards to prevent thefts and depredations in the Northern parts of the Highlands of Scotland. [1712.]

[*See Calendar of Treasury Papers* 1708-1714, *vol. clii, No.* 27]

Another Memorial of the same. Her Majesty having remitted to the Duke of Argyle an order to examine the above petition and His Grace having given his opinion in writing to Sir William Windome, Secretary at War, that memorialists' company has as good right to be upon the Establishment of the Guards as any and McKenzie had rank as Lieutenant Colonel from the date of his commission to raise the same April 12, 1704, he and his company ought forthwith to be put on that Establishment and should continue to keep the peace in the Highlands (which it has done with very good success) until the third regiment of Guards, to which it belongs is completed, one battalion of the Regiment being prisoners in Spain and reduced to a very small number and the other battalion being at Dunkirk. [1712.]

The Case of Mr. Glas.

After education at the Universities of Edinburgh and Utrecht, he received ordination from the Presbyterian Preachers in 1697 to the church of Aberladie in Scotland. Upon the Queen's accession the synods of the Kirk of Scotland entered into associations asserting the Divine right of Presbytery and putting themselves under new obligations. This being contrary to the laws (requiring consent of Queen and Parliament before any association can be entered into), straitening the terms of the Church communion, and an encroachment upon Her Majesty's prerogative, he not only refused to subscribe these associations but entered his protestation against them and printed the same: and doubts as to the lawfulness of presbyterian government growing upon him and in the course of his reading the evidence of divine institution of episcopacy appearing so bright in July last from a principle of conscience he voluntarily relinquished his living in Scotland and came to London, where on September 3, 1711, he received orders as deacon and priest from the Bishop of London. Being by this action deprived of his living in Scotland and of subsistence for himself and family, which is numerous, he throws himself upon the care and protection of this church of which he has the happiness now to be a member. [1712.]

Excise, North Britain.

Certificate of Receipts and Payments relating to the Revenues of Excise, Duties on Candles, Hops, Leather, Soap, Paper, Silks, Calicoes, etc., Gilt and Silver Wire and Starch: and Additional Duties on Leather: from Saturday 29 November 1712 exclusive to Saturday 6 December, 1712 inclusive. (*Signed*) Robert Sinclair, cashier. Examined by John Parsons, controller. Examined 1712 John Drummond, accountant general.

The Case of Mrs. Ann Trant.

Memorandum relating to a clause in the Money Bill for laying duties on hides etc., directing that the Commissioners appointed to enquire how certain Army Debentures granted to Colonel

Rice have been disposed of pay her 1,452*l.*, with interest. *Printed.*

Docket. In the Soap Bill passed this Session there is a clause to relieve person[s] who lost tickets of Exchequer Bills [1712.]

[*See Calendar of Treasury Papers* 1708-1714, *vol. cliv*, No. 54.]

JOHN DRUMMOND OF MEGINCH.

1712-13. January.—Gift by the Queen to the above of the stewartry of the Earldom of Strathearne and Balquhidder and the baillieric of the regality of Drummond, belonging to the family of Perth heritablie, now vacant and in her hands and at her gift upon the account that James, Lord Drummond, hath not qualified himself according to law. *Copy.*

Oxford's docket. Received January 17, 1712-13.

Encl. Covering letter of a warrant (*not here*) for a commission to be passed *per saltum* under the Great Seal of Scotland, constituting the said John Drummond as above; as contained in the last charter of the Lordship of Drummond and Earldom of Perth under the great seal of Scotland, dated 17 November 1687, upon the account that James, Lord Drummond, heritable stewart and bailey, hath not qualified himself according to law. *Copy.*

C. GODOLPHIN to the EARL OF OXFORD.

1713, April 30. Custom House, London.—Covering letter to an Abstract (*not here*) of the Shipping and Trade in the several ports of North Britain for one year ending at Christmas last.

Anent the affair of Mr. WILLIAM DUGUID. The paroch of Burnt Island being vacant, before the Act restoring patronage one part of the 'parochiners' advanced a call to Mr. William Duguid, probationer, and the other part to Mr. Ebenezer Erskine, minister of Portmeack. On appeal before the presbytery of Kirkaldie both calls were set aside. Duguid appealed to the provincial synod of Fife, who ratified the sentence of the presbytery. Duguid's party appealed to the General Assembly in 1712 whose commission ratified the sentences. Afterwards Her Majesty's presentation to the church was obtained for Duguid and offered to the presbytery, with a petition signed by a considerable number of that parish desiring them to settle him in the Ministry there, and the presbytery entered him upon the trials which by order of the church they are to undergo who are to be ordained, but referred his settlement to the approaching synod for advice. The synod found fault with them for giving Duguid a certificate without legal purgation of certain charges previously laid against him and it was necessary that he should be legally purged of these scandals before he could be invested as a minister. He appealed to the General Assembly who having much business before them referred the matter to their commission. He protested in full assembly and the Assembly considering his behaviour unbecoming in a probationer did by their act of 9 May declare his licence to preach void and null. [1713.]

Oxford's docket. Received May 6, 1713.

PETITIONS, ETC. TO THE QUEEN.

JANE LESLIE, daughter of JAMES, LORD LUNDORIS, deceased. Her father raised three regiments for Charles I and II, and was a great sufferer for his loyalty by nine and a half year's imprisonment, sequestration, and otherwise. By an Act of Parliament passed in Scotland, 9,533*l.* was granted him on these considerations but never paid him, and in lieu of interest until the principal were paid Charles II granted him a pension of 800*l.* but the same became so very considerably in arrear that he was obliged to live upon credit and died in prison for debts. He could make no provision for petitioner who has been ever since under difficulties and hardships that are inexpressible ; and now being left a widow destitute of all manner of dependence for herself, her five children and nineteen grand-children, who must be exposed to the uttermost extremity of misery and want, unless her Majesty's compassion be extended towards them, she prays her either to order payment of the said debt still due or make other provision for the support of petitioner and her numerous family.

Oxford's docket. Received August 30, 1713.

Appended. Extract of the Act and Recommendation in favour of James, Lord Lindors, at Edinburgh, 13 May, 1661. Extracted forth of the Records in the Lower Parliament House.

The noblemen, gentlemen, and freeholders, of the shire of PERTH in SCOTLAND. Address of Congratulation on the conclusion of peace. You have, Madam, by a felicity common to few princes added to the triumphs of war the honour of giving peace and joined in your person the two most glorious titles of Peaceful and Victorious : but from your subjects you deserve a title still more illustrious and uncommon that of a most gracious Queen and mother of your people.

Oxford's docket. Copy. Address from Perthshire. Received July 15, 1713. From D[uke] Athol.

The EARL OF BREADALBANE. The Earl and Lord Glenorchy pay yearly out of their lands, jurisdictions and boroughs of barony, to the CROWN, of few duties and of blench duties (called quit-rents in England), 21*l.* 15*s.*

The last discharge was granted eleven years ago in the reign of King William for 19 years then resting. The sum owing for these eleven years is 239*l.* 5*s.*

Her Majesty's royal ancestors for some hundreds years past having been faithfully served by the family of Breadalbane did think fit as a royal mark of favour to grant from time to time discharges of these small quit rents. Petitioners hope that the Queen will grant a warrant for discharging these eleven years past. The reason of using Glenorchy's name is because since the last discharge there has been settlement made on him of the above lands, etc., 1713. 4 *Enclosures in support of the above.*

ALEXANDER, earl of EGLINTON. Her Majesty, by letters dated in 1706, named him one of the lords of the Treasury then in Scotland, with an allowance of 500*l.* salary from May 1706 to May 1707, but because the letter was not recorded nor a precept given for the 500*l.* and the Union taking effect immediately thereafter he could neither be put upon the Equivalent for the said sum nor obtain payment of it otherwise. Prays that orders may be given for the same. [1713.]

GEORGE, LORD FORBES. In September last, in H.M.S. *Grafton*, together with the *Chatham*, he seized and took to Port Mahon, two Genoese ships laden at Cadiz with goods and between 3 and 400,000*l.* in money, on suspicion that the greatest part of the goods and money belonged to her enemies. Believing such a sum would be of use to her he took a journey to Madrid to offer the same in loan to General Stanhope for the use of her troops in Spain but the general being unfortunately taken prisoner petitioner came to England to make the same tender to her. The State of Genoa publicly sent an Agent to Port Mahon who offered 100,000 crowns to acquit the ships and cargoes. After the taking of those ships several parcels of money were stolen from the passenger by his seamen, which he restored again as much as he could find and made good the rest out of his own pocket.

At the battle of Villavitiosa he lost the little equipage he was obliged to make for his journey to General Stanhope. He has lost considerable advantages his ship has made of prizes in his absence and since coming to town has quitted his command and is no longer in pay. He alone has been and still is at the expense of this affair and hopes she will give some consideration for these. If his further attendance on this affair be not for her service, hopes he may be permitted to return to Spain where duty calls him. Has acted in this affair according to his duty and great zeal for her service. [1713.]

The EARL OF LEVEN. At the Union, there being no fund settled for procuring intelligences and defraying other contingent charges necessary in the execution of his office of Commander in Chief of her forces in Scotland, he advanced the necessary money from time to time. In 1708 the Earl of Godolphin, then Lord High Treasurer, assured him he should be re-embursed and a yearly allowance settled for such contingencies, desiring him in the meantime to continue as formerly which he did and has advanced upwards of 2,000*l.*

Before and after the Union, he was Master of the Ordnance in Scotland with a salary of 300*l.* a year.

After the Union, the ordnance of Scotland was subjected to the management of that in England and a Master in Scotland was judged to be unnecessary but her Majesty signified by the Earl of Mar that he should be no loser thereby, and for the first year after the Union, when the artillery of Scotland was paid for, there was also 300*l.* paid to him in lieu of the said salary.

No more having been paid to him since that time, he prays that she will direct the sum advanced by him for her service and 1,500*l.* due for five years as the allowance promised him for loss of his said employment to be paid him ; and will grant him such further reward for his services as shall be thought fit. [1713.]

The EARL MARISCHAL of SCOTLAND. The Earl Marischal of Scotland was sent to Copenhagen as ambassador extraordinary of King James I to negociate His Majesty's marriage with the princess of Denmark. Having expended 10,000*l.* out of his own estate upon the said Embassy without any allowance, a pension of 500*l.* out of the Treasury of Scotland was settled upon him and his heirs until such debt were paid. The family enjoyed the pension until about 1690 when the late King William stopped the payment and dismissed George then Earl Marischal, (grandfather of the present Earl) from the service of a privy councillor. The present Earl finding the once great and plentiful estate of his family almost exhausted in the service of the Crown takes leave to observe how just title he has to the pension as interest due on money lent to the government and arrears due for these 23 last years. In full confidence of Her Majesty's justice he points out below Crown Rents in Scotland which may be appropriated for re-imbursement of what is due to his family.

The reversion of a gift of pension to the earl of Cromartie with the chamberlaincy of the Earldom of Ross, the lordship of Ardmanock etc., dated at St. James's, November 28, 1702, value in ordinary years, 500*l.*

The yearly feu duties paid to the Exchequer out of the lands of Colbrands Path, Fronternest, Northwist and Slait, the Lewis and Largie, value yearly 322*l.* [1713.]

Proposal to Her Majesty whereby two very deserving subjects may be obliged by one employment.

Sir ALEXANDER CAIRNES, being well acquainted with the great merit and circumstances of the Earl of Granard and having a considerable fortune of his own, would be willing to divide the salary of one of the Commissioners of the Irish Revenue with the said Lord. Sir Alexander's services for the Government have always entitled him to such preferment and his endeavours to cultivate a right and firm compliance from the Bank to the Treasury may be of acceptable use to Her Majesty, he having more than ordinary interest and relation in the present governor and most other members thereof. [1713 ?]

The EARL of HOME. No family in Scotland has suffered in the service and support of the Crown more than his as can be proved in three very late instances, first, in the loss of three houses, Dunglas, Fastcastle, and Home Castle; secondly, the wresting of their estate from them by Oliver Cromwell, and thirdly the selling of a good part of their lands to the value of 20,000*l.* the price of which was lent to Charles I and II in time of their troubles. It is true that after the Restoration the latter king gave a bill on the exchequer of Scotland for 8,000*l.* bearing interest from the date at 8 per cent. in part of a far greater claim the family had upon the Crown, but there never was one sixpence paid. It may reasonably be expected that the family might partake of marks of the Queen's favour as others have. It is owned that it is not incumbent on her to pay her grandfather's or uncle's debt but it is not doubted that, if rightly informed of this matter, she would have such regard to their memory as in some measure to reward the services of a family who have suffered so much in defending and supporting her royal progenitors. [1713 ?]

WALTER ROSS late captain of H.M.S. *Scarborough* and now of the *Basilisk* bomb. Has served in the Royal Navy from his infancy but is as yet but a very young captain and being only a short time captain of the *Scarborough*, which he saved after she had been taken and left plundered by the French on the coast of Guinea, has little hope of employment now in the time of peace notwithstanding his long service. Prays that, if he cannot have a better command, he may be appointed master of one of those small sloops that are to be commissioned to hinder the export of wool. [1713.]

JOHN TILLY esquire and MARGARET his wife, daughter of Sir John Rerisby, baronet, deceased. Tilly purchased the wardenship of the Fleet prison with the fee of the prison house, thirteen shops adjoining, and shops in Westminster Hall at the expense of above 1,000*l.* out of his own and as great part of his wife's fortune, and employed one William Ford, gentleman, to execute the office, as has been the custom time out of mind. Baldwin Leighton gentleman taking advantage of some defects in the strict custody of the prisoners procured an inquisition to be taken whereby it was found that Ford had voluntarily suffered three escapes. But Ford was at a trial at Bar in 1700 acquitted of all but one escape namely of one Spencer which was found against him on the evidence of a single witness, a bailiff's follower twice convicted of felony, and afterwards of perjury for what he swore at the trial when it was proved that the debt for which Spencer was committed had been satisfied even before the inquisition was taken, so that no real injury accrued thereby. Notwithstanding this, judgment was given to seize the office into her Majesty's hands but not the prison house or houses adjoining. Hereupon a *Monstrans le droit* was brought by Tilly's trustee of the inheritance but owing to a slip in the pleading Leighton got such advantage by it as to deprive petitioners of their inheritance and expose them to inevitable ruin, Tilly being obliged to absent himself on account of debts charged on the premises when he purchased the same; unless her Majesty regrant the premises to them, the prosecutor being now dead. The hardship of their case appears more fully by the annexed reports (*not here*) of the present Lord Keeper and the Attorney General. [1713 ?]

MEMORIALS, PETITIONS, ETC., to the EARL OF OXFORD.

THE EARL OF WEMYSS. Before the Union he was Lord High Admiral of Scotland by the Queen's commission vesting him with all powers belonging to that office of ancient custom, of which that of jurisdiction was chief, as by virtue thereof he was judge of the Court of Admiralty and appointed his deputies in maritime causes along the coast. This chief branch of the office being reserved by Article 19 of the Union he by a commission since the Union is vested therewith under the name of Vice Admiral of that part of Great Britain called Scotland and has his salary of 1,000*l.* a year on the Establishment of the Navy by warrant of privy seal. As this sum has been allowed by the House of Commons in the estimates for 1710, 1711, 1712 and is upon the Establishment of the Navy, he hopes it will be allowed to continue on the same. [1713.]

Oxford's docket. Received May 8, 1713.

JAMES, EARL OF GALLOWAY in Scotland. He was one of the Lords of the Treasury in Scotland at the time of the Union and cannot obtain payment of 252*l.* of salary due from November 1706 to May 1707, at which time the Union commenced, nor could he obtain the said sum put into the Equivalent, albeit he has a precept from the then Lords of the Treasury for the same, the Barons being of opinion that it was not a debt that could affect the Equivalent as not payable until after the Union took effect. Prays he may have payment. [1713.]

Enclosure.—The precept referred to above signed by Seafield, chancellor, and others. April 2. Edinburgh, 1707.

Oxford's docket. Received of Earl Seafield, September 18, 1713.

JOHN LORD GRAY. The family of Gray in North Britain for upwards of 400 years has been considerable, especially in continual firm adherence to the Royal Family until the time of Cromwell's usurpation when they were fined, confined for twelve years, some of them forced to fly the kingdom and their estate entirely ruined, as will appear below;

1. Andrew, Lord Gray, was prevailed with by Charles I to resign the heritable jurisdiction of the sheriffship of Angus, which had been in the family 200 years, for 50,000 marks, which he never received.

2. The said Lord was fined 1,500*l.* by the rebels for which he was forced to fly the kingdom and went to France.

3. He was prevailed with by Charles II and the Duke of York when in exile to quit the lucrative employment of lieutenant to the Scots' gens d'armes in France in favour of M. Schomberg afterwards Marshal Schomberg upon conditions which were never made effectual, to the mighty prejudice of the family and the nation as that office, till that time in the hands of Scotsmen, is never like to be recovered.

4. Sir William Gray, of Pittendrum, father to William, Master of Gray and grandfather to the present John, Lord Gray, was fined by the Parliament at St. Andrews 100,000 marks for abetting and corresponding with the great Marquis of Montrose and imprisoned in Edinburgh Castle, and because he refused to pay the fine was kept long in the tolbooth or common prison which hastened his death soon after his liberation on payment of 35,000 to which the fine was modified in 1646.

5. The sum of 10,000*l.* was extorted from him by way of loan but never repaid.

6. William, master of Gray, was confined at St. Andrews all the time of Cromwell's usurpation, by which his affairs and estate ran into such confusion that 800,000 marks owing by the Earls Marischal, Monteith and others one farthing could never be recovered, save 56,000 from Marischal, 14,000 from Monteith and 2,000 from Lord Boyn. Upon the Restoration he went to London to recover the sheriffship of Angus and other damages and was unhappily killed there by James, Earl of Southesk, in a single combat upon some mistakes which arose betwixt them in a conference for the office before the king; which was the fatal occasion of the suppression of the family. Two of his brothers were killed in the King's service, Robert at the battle of Inverkeithing, and David at Tangier with Lord Teviot.

7. The present John, Lord Gray, while wrestling by his proper industry to restore the fortunes of the family, was called in 1683 by the King and his ministers to decypher and extricate the mysterious writings and secret machinations of such as then designed to overturn the government in church and state, which had proved too hard for a discovery, in England (being essayed in both Universities), but by his dexterity and industry clearly opened and exposed, as appears by a narrative printed

at Edinburgh, and reprinted at London, as also by the Bishop of Rochester's larger history, written by command of the king. When he was to reap the royal bounty for these services the Revolution came and not one sixpence was recovered of his expenses or the designed bounty.

It is humbly hoped that, seeing others who may not have such pretensions are and have been under the benign influence of her Majesty's bounty, and he is presumed fit to serve in several capacities though hitherto not applied to or considered her ministers of state will be pleased to recommend him to her royal favour.

Oxford's docket. Received Nov. 27, 1713.

Mrs. Agnes Anderson, the Queen's Printer in Scotland. Prays for a renewal of her grant of the said office. Mr. Freebairn and others are using interest to procure a grant of that office and have misrepresented her, laying to her charge many caluminous and groundless falsehoods (*enumerated*).

A like petition to the Queen.

Anthony Fisher. This short memorial is humbly offered for the better information of my handwriting, in pursuance of your Lordship's order, in hopes your Lordship will be pleased to think of something to employ me in. [1713 ?]

Enclosure. The Earl of Salisbury to the Earl of Oxford. The bearer hereof, my cousin, Fisher, is the gentleman I have so often desired your kindness to in granting a commission for a company in a regiment your Lordship thinks will be continued in the service: he being very capable of executing his duty in that post. [1713?]

Gawen Mason. Was agent for the late Duke of Hamilton for many years. During that time, for the esteem he had for his grace, he laid out of his own money (not reckoning anything for his labour) about 1,500*l*. This is his whole estate and the circumstances and settlement of the Duke's fortune hold out no certain prospect of relief from thence, which is no small disappointment and uneasiness to him. When his grace was made Master of the Ordnance he took his first and only opportunity from his own proper justice and honour to make petitioner his Secretary until he should be able (as he was willing) to pay what he owed him. By his late fatal misfortune, his grace is cut short of perfecting his generous and just intentions and petitioner is left wholly destitute. Prays Oxford to recommend him to her Majesty that upon the next promotion of a Master of the Ordnance he may be continued in that office or provided for otherwise. [1713.]

Alexander Abercromby, M.P. Memorial. In consideration of Douglas's gift of bastardy promised by her Majesty, his lordship from time to time assured him three years ago that he should have an equivalent of 300*l.* but more particularly and frequently by Mr. Thomas Harley, Mr. Pringle and the Earl of Findlater, which repeated assurances encouraged him contrary to his own and friends inclinations to be at the expense of being returned this Parliament, notwithstanding he ruined himself and his family by the expense of attending and by close adherance to every measure he judged most agreeable to his lordship forfeited all manner of reputation and expectation of friendship from those who had formerly done him service: prays his lordship will make good these promises.

Endorsed by Oxford. Received April 20, 1714.

MR. CAMPBELL to the EARL OF OXFORD.

Proposals to improve the quality of SALT in Scotland, for which he obtained an Act of the Scots' parliament before the Union. *Undated.*

Oxford's docket. Received October 5, 1713.

Appoint a hearing.

REPRESENTATIVE PEERS OF SCOTLAND.

Scheme of the election of the 16 Representative peers of Scotland: and the names of those elected at Holyrood House on 8 October, 1713.

Docket. Delivered by the clerks to the Earl of Findlater.

SCOTCH SHIPS.

[1713.] Total of ships at the time of the Union 215 of the tonnage of 14,485.

Total now 1123 of the tonnage of 50,232.

Increase:—Ships 908: tonnage 35,747.

Oxford's endorsement. To Christmas 1713.

CHURCHES FOR LONDON.

[1713.] Proposal for raising money for building fifty new parish churches in the city and suburbs of London.

Docket. A private thought on religion.

Anonymous.

MALT IN SCOTLAND.

Reasons against laying a Duty upon Malt made and consumed in Scotland. [1713.]

Sir JOHN CUNNINGHAM, Baronet, to the EARL of MAR.

[1713 ?] In February 1688, he was made ensign in the regiment of Foot, commanded by the late General Ramsay and thereafter by Sir Charles Graham. In March 1689, he was made lieutenant to the Earl of Dalhousie's company in the said regiment, the earl being a minor he commanded the company four years and at the battles of Steinkirk and Landen, at the first of which he was shot through the right arm and side.

In March 1693, General Ramsay brought him into the regiment of Scots Guards as lieutenant, which has proved much to his disadvantage for had he continued in the field regiment he could not have missed to be major to the same.

In December 1704, General Ramsay made him adjutant and in consideration of his long service procured him the rank of major designing him to be major to some of the new regiments then intended to have been raised in North Britain. He then quitted his lieutenancy, the pay of lieutenant and adjutant being equal. He has continued since upon 4*s*. a day notwithstanding that at the Union all the officers of that regiment had their pay so augmented that the lieutenants with whose pay he was equal before have had each about 400*l*. more than he since. The rest of the adjutants in the regiments of the Foot Guards, being likewise lieutenants, have had about 800*l*. each since the Union more than he.

The heavy charge of seven motherless children: the misfortune to be one of the oldest baronets of North Britain without any estate occasioned partly by the stedfast loyalty of the first Sir David Cunninghame of Robertland, his constant adhering to the Royal Family in all their troubles, raising and maintaining a troop of Horse on his own charge, and the sad mismanagement of the last Sir David Cuningham, nothing but the burden of the title came to the major so that he has been obliged not only to exhaust any little money he had by his wife for the support of his numerous family but also to be considerably indebted, which obliges him to petition Her Majesty and he entreats his Lordships favour therein.

PETITION to the QUEEN.

ELIZABETH, Duchess of HAMILTON and BRANDON, Lady Charlotte Orby and John Elrington, heirs of CHARLES, late EARL of MACCLESFIELD, and of ELIZABETH MOHUN, daughter of the last LORD MOHUN and great grand-daughter of the EARL. Pray that they be not turned out of possession of their inheritance by Lady Mohun relict of the last Lord Mohun who, though she has no just right in law or equity to the Macclesfield estate has lately brought ejectments for it and obtained judgment on the ground of the attainder of Charles, Lord Brandon, the Earl's eldest son, for high treason. These judgments, as they are advised will be affirmed in Parliament soon after beginning of the Session, unless Her Majesty, to whom at the Earl's death the trust of that estate escheated, as held of the Crown, direct her counsel at law to put a stop to the proceedings [1713.]

Enclosure. Deed shewing the settlement made 24 April 1683 by Charles then Earl of Macclesfield, and Charles, Lord

Brandon, his son and heir apparent, in consideration of the latter's marriage.

In Michaelmas Term 1685 Lord Brandon was attainted of high treason against King Charles II, by which attainder he was disabled to inherit his father or any other ancestor.

In Michaelmas Term, 1687, Lord Brandon obtained a pardon from James II, and in January 1687-8 a second and sufficient pardon from the same king: but never brought any other writ of error to reverse his attainder nor obtained any act of parliament to reverse it. In January 1693 the said Earl died seised of the remainder in fee of the estate comprised in the above settlement which could not descend to Lord Brandon by reason of his attainder but escheated to the Crown. In 1701, Earl Charles the son, who assumed and bore the name of Earl of Macclesfield, sensible of the infirmity of his title brought a bill into the House of Lords for vesting the estate in himself absolutely in fee, but his younger brother Fitton and his sister the Lady Charlotte Orby opposed the bill and it was rejected. This rejection exasperated him so much that he swore he would revenge it upon his family, and in the same year he made a will whereby as far as he could he disinherited his brother and sisters by devising all the paternal estate of inheritance and bequeathing a personal estate of 30,000*l.* or more left him by the old earl to Lord Mohun a stranger to his blood, although his brothers and sisters were zealous solicitors for his life when forfeited.

Earl Charles the son dying soon after, the Lord Mohun took possession of the personal estate, and by colour of this will seized all the evidences and writings of the real estate. After the death of Earl Charles, Fitton succeeded to the honour and became tenant for life of the real estate pursuant to the settlement of 1683; and to repair the injury done to his family, so far as in him lay, made several leases for their benefit. Fitton dying in December 1702, Lord Mohun forcibly took possession of the real estate of 4,000*l.* per annum and to deprive the family of that small provision Earl Fitton intended rejected those leases.

March, 1710. Lord Mohun enjoyed this estate of 4,000*l.* for ten years and by will, after the example of his benefactor Earl Charles the son, devised the Macclesfield estate, his own paternal estate, and a large personal estate, from his daughter (a branch of the Macclesfield family) to the widow of Colonel Griffith, whom he had married a few days previously.

November 1712. Lord Mohun dying, the Duchess of Hamilton, the Lady Charlotte Orby, and John Erdington, Esq., the heirs at law of the said Earls, petitioned Her Majesty, setting forth that, the attainder of the Lord Brandon being still in force, they craved leave to bring a writ of error for reversing the attainder, in order to restore their blood and capacitate them to inherit. This petition being referred to the Attorney and

Solicitor General they reported that the attainder was still in force and petitioners, without having a writ of error, could not be restored to their blood.

Lady Mohun petitioned to be heard by counsel against the report and her petition with another of Hugh Fortescue, principal creditor of Lord Mohun, was heard in July last before a committee of the Privy Council who were of opinion that the writ of error prayed for should not be granted. The case now seems to be reduced to this single point whether Her Majesty gratify the heirs at law or Lady Mohun. [1713 ?]

[EARL OF MAR] to the EARL OF OXFORD.

In favour of Mr. JAMES GRAY. He was in possession of a very handsome post at the beginning of the late changes. Several of the nobility in Scotland best affected to the Queens service thought he could be of use in the elections of members to serve in Parliament and prevailed upon him to drop his post and go through the Kingdom to take off the misrepresentations of public affairs that were made at that time and do what service he could.

As the elections succeeded according to their wishes they were so pleased with his endeavours that they ordered him to come up to London and they would recommend him to the Queen and those in power to take care of him.

A little after his coming up a post very proper for him fell vacant which he got but though he has been here these three years past all he has got by it is but a 200*l*. which he has spent together with 250*l*. more of his own which was all the stock he had received after many years sufferrings. His predecessor had 200*l*. yearly paid quarterly, which is but a small allowance in this expensive place. Hopes the Lord Treasurer will give orders to clear him as to what is past and lay down some way for his regular payment in time coming. [1714.]

Oxford's docket. Received January 21, 1714. Earl Mar.

BARONS OF THE EXCHEQUER OF SCOTLAND to BARON SCROPE.

1713-14. February 13. Edinburgh. There is a considerable deficiency of what should be applied for salaries due for Whitsunday 1707, which must be made good some time or other. The Land Rents and Casualties due before the Union have hitherto amounted to about 1,800*l*. but more would daily come in, if not prevented by the frequent gifts of discharge that the Queen is prevailed with to give of that subject, which we think my Lord Treasurer should be acquainted with. *Signed.* J. Smith, Al. Maitland, John Clerk.

Docketed. Copy of a letter from three of the barons of the Exchequer in Scotland against the frequent gifts and discharges of debts in Scotland.

ADDRESS to the QUEEN.

The nobility and gentry of the SHIRE of FIFE, met at Sheriff's Head Court, 13 April, 1714. Congratulate Her Majesty on her recovery from her late indisposition, and on having finished the peace with Spain. Now that she has nothing more to desire for her people but to see them happy it is matter of the greatest grief that the men, whose vain efforts could not prevent peace, endeavour to render it less productive of the good which she intended by it by creating fears and jealousies in the minds of her people. They are bound to give a flagrant example of this in a fast lately appointed by a provincial synod of the presbyterian clergy of this county for averting the threatened dangers of popery, which is the more surprising as happening in her Majesty's reign wherein so much care has been taken for the security of the Protestant religion ; and it has proceeded from men who in a former reign were utterly silent when there was an appearance of danger. Such a proceeding in one of the most populous countries of this part of the kingdom where it would be difficult to find even one Roman Catholic, can have no other meaning than to insinuate apprehensions into the minds of the vulgar. They hope Her Majesty will take such prudent and effectual measures to reduce those men to a due regard to her administration that they may prove messengers of peace and not have opportunity to incite to rebellion. *Copy.*

Oxford's docket. April 24, 1714.

MEMORIALS, etc. to the LORD TREASURER ;—

RO : SEMPILL and JAMES HOUSTOUN. About 23 August, 1711, the Commissioners of Customs appointed Sempill, sheriff depute of Renfrew, an extraordinary officer of the customs of North Britain with a particular recommendation to discover a trade of running goods in and about the Larges, a village on the west coast of Scotland near the Earl of Glasgow's house. He went there and found the trade had been used for a considerable time, particularly in French liquors landed at that place and carried through the shires of Ayr and Renfrew by night on horseback. He employed watchers at all bridges and roads by which the goods passed, and for a considerable time attended himself. This being discovered, that running trade was quite given over. After this, having found that a quantity of French liquors had been landed in or about the Larges, he got positive information that great part was in a barn of the Earl of Glasgow's close at his gate of Killburnie very near the shore, and that it was thence drawn out in small casks and carried to the house of Killbirnie, where Lord Boyle then lived, and stayed there until the importer or owners had ways of disposing of it. He then called for Houston, land surveyor at Port Glasgow, who with a writ of assistance went to seize it, the account whereof is contained in a letter of Houstoun's to the Board, dated October

11, 1711, shewing how he and Sempill went to the Earl of Glasgow's house and called for one Mr. Reikie, his Lordship's bailiff, and producing their commission required him to open a particular door wherein was a considerable quantity of big casks, as they offered to prove by witnesses who had seen them the night before, which the bailiff absolutely refused to do. Then follows an account of how the liquor was seized by Sempill and Houghton and how the seizure was carried away by a mob, through the procurement of Mr. Montgomery, comptroller of Irvin, accidentally there on a visit to a friend, and how Sempill, who had done such service as all the riding officers of that country had never done, was subsequently ill treated in consequence of the resentment of Mr. Boyll, one of the Commissioner, against him for loading his brother the Earl of Glasgow and his nephew Lord Boyll as accessories of the running, whereby he is still kept from having the salary of 60*l.* a year, settled on him by the Board. Glasgow, May 14, 1714.

John Carnegy esquire, solicitor general in Scotland, praying for a warrant for his salary. The salary last annexed to the office was only 400*l.* and 50*l.* for going the circuit. For some time past there was no fixed allowance for despatches and other affairs concerning the government but an account of the expense was given in to the barons of the Exchequer and it was difficult to obtain payment thereof. Petitioner loses the 50*l.* given for going the circuit by attending parliament.

Mr. Carmichell when turned out from being joint solicitor had a pension given him of 300*l.* out of the exchequer of Scotland.

Petitioner proposes that this pension may be taken away and a warrant granted him for a salary of 700*l.* and he is willing to pay for the despatches out of it.

Docketed. 24 May, 1714. To be laid before the Queen.

Enclosure. Observations on the above memorial. Mr. Carnegy is appointed by commission under the great seal of Scotland dated 30 March 1714, to be sole solicitor, but no salary is mentioned therein, for which reason, it is supposed, the establishment will not allow his being paid more than 200*l.* per annum.

James Pringle, surgeon. Was recommended by the late Duke of Queensberry to be one of the Commissioners for the Sick and Wounded and Oxford promised his Grace that when the Commission came to be altered, which was then expected very soon, he would put him into it and the rather that there was no surgeon in that commission. Of late the Commission is retrenched to two—one a physician and the other neither a physician nor surgeon. Considering that there is constant correspondence between the surgeons of H.M. ships of war at sea and the Commissioners as there was in time of war and that the medicines employed by these surgeons at sea and those at the seaport towns when sick seamen are put on shore are directly under the care of the Commissioners and consequently there is very great need of a surgeon skilled in pharmacy, which petitioner hopes he is well known to be: prays he may be appointed one of the Commissioners. [1714.]

Oxford's docket. Received June 21, 1714. Earl Mar.

Royal Burghs of Scotland. Memorial in relation to the Treaty of Commerce with France concluded at Utrecht 4 March last. Whereas in Article 9 it is provided that within two months from exchange of the ratifications of the said Treaty commissaries on both sides shall meet at London to remove the difficulties concerning the merchandizes to be excepted out of the tariff of 1664 and other heads not yet fully adjusted, and to have the methods of commerce on the one part and the other more thoroughly examined; and to find means for removing the difficulties in that matter and regulating the duties; we conceive there is latitude given to treat not only upon the four excepted species from the 9th Article but also upon all other matters of commerce, excepted or not excepted, contained or not contained, in the Instrument of Specification. We, therefore, think it indispensably necessary to offer the following proposals to be considered and adjusted by Her Majesty's Commissaries:—

1. That the importation of whalebone, cut and prepared, fins and oils and whales, paying the duties appointed by the tariff of 1664 by the subjects of Great Britain into France, deserves to be insisted upon, because, howsoever the Greenland trade from Britain be now laid aside, a proposal for retrieving that trade is to be laid before Parliament next Session.

2. Whereas by the tariff of 1664 serges of Flanders and England are charged with 6 *livres* upon the piece of 20 ells: and whereas there are fabrics of manufacture in Scotland much inferior in goodness, having different denominations from the serges of England and Flanders, which are serviceable for particular uses and good subject of trade, such as plaids, blankets, fingrams, and coarse serge for lining, and galloway whites, it is proposed that the said articles be explained not to comprehend these species of manufacture. Also, whereas Scots plaiding is charged with a duty equal to a prohibition by the tariff of 1664; it is proposed that the said Article be declared not to comprehend these species of manufacture.

Also, whereas Scots plaiding is charged with a duty equal to a prohibition by the tariff of 1664, it is proposed that the said manufactures of plaids, blankets, broad and narrow fingrams, coarse serges for linings, galloway whites, and plaidings, imported into France, be charged with a duty *ad valorem* not to exceed 5 per cent.

3. That salt fish mentioned in the third specification be explained as meant of cod fish, ling, and hake only, paying the same duty which the subjects of France pay.

4. That sugar be admitted into France upon the duties payable by the tariff of 1664.

5. That the duty upon salmon be no higher than by the tariff of 1664. 6 *livres* per last of 12 barrels.

6. That the duty on British white herrings bear proportion to the duty on Dutch herrings, which being by the tariff of 1664 16 *livres* by the last of 12 barrels, ought not to be above 12 *livres* because the Dutch are everywhere valued ¼th more than ours.

7. That if a new tariff be settled, dried haddocks be not left out and small cod under 14 inches long be rated as such.

8. That neither salmon nor herrings be subjected to inspection by Cure Masters unless immediately on arrival or before sale.

9. That the importation of tobacco without incumbrance from farmers, the liberty of selling it to any buyer, and the ceasing of the practice of farmers, deserves to be insisted on.

10. That the exemption of the duty of tonnage be explained.

11. That the duty on worsted stockings be no higher than in the tariff of 1664.

12. That salt pork in barrels be allowed to be imported, paying 20 *sols* per barrel, which bears proportion to the duty settled upon bacon by the tariff of 1664.

13. That the duty of 3 *sols* per barrel upon coals settled by the tariff of 1664, be reduced to 1 *sol* per barrel.

14. As the French have the privilege of importing their commodities upon as easy duty as any other nation in Europe, Britain ought to reserve a power of raising and lessening the duties of imported goods, especially linen, as circumstances direct. 1714.

THE EQUIVALENT.

[1714.] May.—A view of the several branches of the Revenue in Scotland desired by the Commissioners of Equivalent and other gentlemen concerned therein as a fund for paying the yearly interest of the Public Debts, the charge of that Commission, etc.; and an estimate of the sums which these funds may annually produce.

Yearly fund claimed. 19162*l.* 7*s.* 1*d.*

Note in Oxford's hand.

1714, May 31. The excrescence above 30,000*l.* shewing the deficiency—Account wanting.

1. The produce of the branches at the period for which they were purchased.

2. Account what rises from the continuance of those branches.

3. Account of what arises from the several other duties granted free.

Oxford's docket. Equivalent May 31, 1714.

JOHN CROOKSHANKS to the EARL OF OXFORD.

1714, June 7. Twickenham.—May it please your Lordship. Having as far as was possible formed and delivered to Mr. Taylour such accounts of the Equivalent as might put that affair in the clearest view for your satisfaction and knowing that the Commissioners and others persons concerned in the public debts of Scotland are resolved this day to wait on your Lordship to make that subject still more intelligible and for saving you time and trouble in the full examination of these accounts I pray leave to make this short explanation and thereupon the first glance you will discern the case and consequences.

The 1st account is a state of the Equivalent taken from the printed minutes of the Treaty of Union, founded upon equality in trade.

2nd. A view of the Customs from 1 May 1707 to 29th September 1713, which instead of excrescence, fall short of their annual proportions for this whole time 95,562*l.* 9*s.* 5½*d.* This answers one part of their claim for an Excrescence above 30,000*l.* for the Customs and 33,500*l.* for the Excise yearly, since on this last the excrescence for the whole time is only 29,448*l.* 16*s.* 1*d.* It cannot at present be known what the balance of bonds on the Customs and the arrears of Excise may produce.

3rd. A view of the proportions which the Customs of Scotland should contribute to the uses for which they were purchased by Equivalent or were otherwise applicable by the treaty, with their respective deficiencies.

4th. A view of the several branches of the Customs continued or granted since the Union, with their respective appropriations and growing Equivalent so far as the same can be stated from 1 May 1707 to 29 September 1713. This 3rd account is marked No. 1 and this 4th account is marked No. 2, being the first and second parts relating to the Equivalent.

5th account. A view of the surpluses of Excise which at the commencement of the Union were unappropriated and are since made applicable to anticipated debts of England, their yearly value and purchase by Equivalent to 29 September, 1713. Pray my Lord, in this last account order the Queen's counsel learned in the. [*Unfinished*]

6th. A view of the excrescence of the Customs and Excise in Scotland and of the Equivalent which is or may be claimed for such parts thereof as are applicable to anticipated Debts of England before 1 May 1707 so far as the same can be stated to 29 September 1713. The Charge and Discharge have each two columns that everything uncertain as well as certain may appear.

From this last account it appears :—

The certain Equivalent which may be claimed on the Customs		17,655*l.* 14*s.* 4¾*d.*
On the Excise surpluses	15,993*l.* 2*s.* 9½*d.*	
On Low Wines	2,902*l.* 2*s.* 5*d.*	
		18,895*l.* 5*s.* 2½*d.*
		36,550*l.* 19*s.* 7¼*d.*

This with the balance of bonds on the Customs and arrears of Excise will not much overpay the charge of the nation which Scotland was to satisfy by Article 14 of the Union.

The case standing thus, the Commissioners and Creditors of the Equivalent are uncertain and form ideas of their claims answerable to their necessities and such persons are usually importunate in their solicitations and consequently ready to lay hold on anything for present relief.

The debts of Scotland may be computed	240,000*l.*
Interest yearly at 5 per cent on this sum	12,000*l.*
The Commission of Equivalent reduced in number may be managed for	3,000*l.*
Encouragement of fishing and manufactures yearly	3,000*l.*
Yearly Fund	18,000*l.*

If your Lordship think it reasonable for Her Majesty's advantage, the relief of the creditors, and completing of the treaty, to fix this fund by applying thereto :—

The net produce of the 12d. per bushel on Home Salt. The surpluses of Excise and such other branches in that revenue and in the Customs as an Equivalent may be claimed for, the consequences in my opinion will be this ;—The remainder of the whole revenue of the Customs and Excise in all time coming will be clearly at Her Majesty's disposal, except what is charge thereon for fish and flesh debentures ; though we talk of appropriations in Scotland and such part of the revenue there applicable to the payment of anticipated debts in England, yet I am in doubt whether the Customs and Excise in Scotland are strictly appropriated by law ; if they be, the Parliament has altered them on occasions, and particularly in giving the preference to the Courts of Justice and Fish Debentures.

The Duty on last year's Malt :—

Daniel Campbell's Article, mentioned in the Commissioners of Account's report, may be applied to this fund. He was a collector, member of Parliament, one of the treaters for Scotland, and a Commissioner of Equivalent : his salary at least may be stopped, and, if the merchants concerned were indemnified by a clause in an act of parliament, they would come in evidence against him.

Submitting the whole to your Lordship's great wisdom, I remain, etc. John Crookshanks. *Holograph.*

Oxford's docket. Equivalent. Mr. Crookshanks.

List of some of the creditors on the Scotch Equivalent who have appointed Mr. James Campbell of London, merchant, their Agent. 138 *names.*

Observation on a paper called "The Case of the Equivalent" with an estimate of the arising Equivalent. 1 *p.*

PETITION to the LORDS OF THE TREASURY.

The EARL OF LEVEN. When he was sent into Scotland at the time of the late intended invasion there was an order upon the Commissioners of Excise to give him what money he should call for. He received from them 1,000*l.* but on his calling for more some days after they told him they had an order from the then Lord Treasurer to give him no more, by which he was necessitated to dispose of such provisions as were bespoke but not delivered into the castles, and there is yet also a small balance due to him on account of disbursements at that time, as will appear by an account given in to the then Lord Treasurer, which has ever since lain in Mr. Taylor's hands but nothing done thereupon. Begs they will call for the said account and give orders for his being discharged of the 1,000*l.* received and reimbursed the balance due on that account. [1714.]

PETITION to the QUEEN.

The EARL of LEVEN. It is now above four years since he received any money on account of Intelligence or Contingencies although he has laid out in that time above 1,200*l.* He took the liberty some time ago to represent to Her Majesty the necessity he was under of considerable expense on these accounts, as he did likewise by several letters to the Duke of Queensberry and the late Lord Treasurer, but nothing being done hitherto towards his reimbursement he prays her to take the same into consideration and give directions as she shall think fit for the payment of what he has advanced and giving him a yearly allowance in time coming of such sum as she shall think proper for the uses above mentioned. [1714 ?]

Memorial, whereof the name of the writer does not appear, touching the ensuing elections in Scotland. 1714.

To the EARL OF OXFORD.

The EARL of RUGLEN. Memorial. Being a creditor upon the estate of Bargany by an heritable bond granted by John, Lord Bargany, this Lord's grandfather, to Sir James Dalrymple of Kelloch for the principal sum of 8,000 marks to which the Earl has right by progress. This debt of the grandfather, who entailed the estate, being upon an heritable security, with charter, seisin, and enfeoffment, is preferable even to the last lord's life.

It is hoped, therefore, that in the gift by the queen of the wardship of the present young Lord, the Lord Treasurer will order the gift to be expressly burdened with the payment of the foresaid heritable debt. [1714.]

——— to [the EARL OF OXFORD.]

[1714.] My Lord. I find the warrant your Lordship mentioned last night (of which the enclosed is a copy) was left uncountersigned in the same manner as that for the Duke of Shrewsbury's extraordinaries, which were out of the Regulation, and was entered for Fees with Mr. Tilson (as Mr. Bunbury tells me, Mr. Tilson being not yet come) and entered by the clerk in the proper place in the Book and delivered out to Mr. Paterson, a clerk of Lord Mar's, and neither Mr. Tilson nor the entering clerk here took notice that it was not countersigned. I am told it was sent to Scotland and returned from thence to Mr. Paterson, who brought it to Mr. Bunbury and he shewed it Mr. Taylour and by his direction brought it last Saturday to be countersigned by your Lordship. He has since by Mr. Taylour's direction delivered it to Paterson. I find another warrant for 1,000*l.* for Cockburne of the same date and another for 1,000*l.* for Lord Northesk, dated the next after Lord Haddo, another for 1,000*l.* to Mr. Thomas Paterson upon Mr. Nicholas's office, dated the 26th December. These all seem to have been countersigned together the 27th July, being all entered in Mr. Tilson's Book for Fees that day.

I am told here that it happens very frequently that Orders and other papers slip amongst others and have sometimes passed through other offices unobserved ; and when it has been observed returned hither to be signed : and your Lordship may remember several lottery orders that had more than once had interest paid upon them without being signed by your Lordship and I think there was a case that Lord Bingley signed an order by the name of Ro: Benson after he was out of the Chancellor's place : but this being before I was placed here I have but a very faint notion of it.

Mr. Taylour and Mr. Tilson are now come in and I find all that I was before told by the clerk to be true about this warrant. My Lord Treasurer has directed copies of those warrants to be made and took notice of the occasion but seems to be of opinion that the objection made is of no consequence.

If your Lordship would have me make any further enquiry this morning, be pleased to let me have your commands. I thought to have brought this account myself but my Lord Treasurer came in precisely at 10 and will stay till about 12. I can then attend your Lordship.

My Lord Treasurer was telling the Chancellor that one that belongs to Lord Mar had acquainted the Lords Justices yesterday with the affair of the Scotch Warrants.

Unsigned and undated.

Enclosures :—

Copy of a warrant to Archibald Douglas of Cavers, esquire, Receiver General of the Queen's lands, rents, and casualties, in Scotland, to pay to Sir Hugh Paterson one of the Commissioners appointed in or about the month of November, 1711, for executing the office of High Chamberlain of Scotland, out of 5,040*l.* lately paid to his hands by the representatives of Sir George Home and others, 1,000*l.* [July, 1714.]

Mutilated.

The like of a warrant in like terms in favour of Lord Haddo, another of the said Commissioners. Given at our Court at Kensington, 27 July, 1714.

Petition to the LORDS of the TREASURY :—

DAVID, EARL OF GLASGOW. Her Majesty having appointed him Commissioner to the last General Assembly in Scotland the sum of 700*l.* was to be paid for the expense and charge thereof yet the sum is not yet paid, albeit he advanced the money himself. Prays them to give directions for payment. [1715 ?]

The Case of the LADY KENMARE'S CHILDREN.

Her late Majesty appointed 400*l.* a year to Lady Kenmare out of her husband's forfeited estate for her and her children's subsistence. The appointment being unpaid for about six years his late Majesty further appointed future payment thereof and of the arrears. On application to the House of Commons a proviso in the late Act of Resumption was made that nothing therein should determine or make void any appointment of his Majesty or the late queen for the use of the wife of the late Lord Kenmare of Ireland or her children but such shall be holden and enjoyed during the life of her said husband. The trustees have refused to allow the arrears as conceiving the Act not extensive enough to include them, contrary (as is hoped) to the intention of the House. During the non-payment of her late Majesty's appointment the said Lady maintained the orphans on the credit thereof and assigned to her creditors the first payments so it will be six years before they are paid and the orphans during that time without subsistence without the allowance of the said arrears. It is prayed that an explanatory clause may be annexed to some Bill in favour of the orphans in relation to the said arrears, in pursuance of his late Majesty's appointment and the said Act. *Undated.*

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